

# JOURNAL OF THE EXECUTIVE PROCEEDINGS OF THE SENATE OF THE UNITED STATES.

[Twenty-fourth Congress, second session.]

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THURSDAY, DECEMBER 15, 1836.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, junior, his secretary:

I nominate to the Senate Jesse Miller, of Pennsylvania, appointed during the recess, to be First Auditor of the Treasury Department, in the place of R. Harrison, resigned.

James Whitecomb, of Indiana, appointed during the recess, to be Commissioner of the General Land Office, in the place of Ethan A. Brown, resigned.

Matthew Birchard, of Ohio, appointed during the recess, to be solicitor of the General Land Office, in the place of Wyllis Silliman, declined.

John M. Moore, of Washington, appointed during the recess, to be principal clerk of the public lands in the General Land Office, in the place of Samuel D. King, resigned.

Samuel D. King, of Washington, appointed during the recess, to be principal clerk of private land claims in the General Land Office, in the place of Mead Fitzhugh, resigned.

William T. Steiger, of Maryland, appointed during the recess, to be principal clerk of the surveys in the General Land Office, in the place of John M. Moore, resigned.

ANDREW JACKSON.

WASHINGTON, *December 12th, 1836.*

I nominate to the Senate Charles E. Anderson, of New York, appointed during the recess, to be secretary of the legation of the United States to the court of His Majesty the King of the French, in the place of W. P. Van Rensselaer, declined.

Theodore S. Fay, of New York, to be secretary of the legation of the United States near His Britannic Majesty, in the place of Aaron Vail, resigned.

ANDREW JACKSON.

WASHINGTON, *December 12th, 1836.*

I nominate to the Senate Thomas Lumpkin, of Virginia, appointed during the recess, to be consul for the port of Buenos Ayres, in the place of Eben R. Dorr.

Thomas R. Gray, of Virginia, appointed during the recess, to be consul for the port of Tabasco, in the place of Robert S. Hicks, deceased.

Thomas H. Barker, of New York, appointed during the recess, to be consul for the port of Antwerp, in the place of William D. Patterson, deceased.

Joseph Ray, of Pennsylvania, appointed during the recess, to be consul for the port of Pernambuco, in the place of I. T. Mansfield, resigned.

Charles D. Arfwedson, of Stockholm, appointed during the recess, to be consul for the port of Stockholm, in the place of D. Erskine.

John G. McCall, of Pennsylvania, to be consul for the port of Tampico, in the place of George R. Robinson.

Charles Garavini, of Algiers, to be consul for the port of Algiers, in the place of George S. Brown, resigned.

Albert Dabadie, of Philadelphia, to be consul for the port of Venice, in the place of Charles Barnett, resigned.

Christian P. Schultz, of Rostock, to be consul for the port of Rostock and the Grand Duchy of Mecklenburg-Schwerin.

George W. Green, of Rhode Island, to be consul at Rome, in the place of Felix Cicognani.

ANDREW JACKSON.

WASHINGTON, *December 12th, 1836.*

I nominate to the Senate James A. Bayard, of Delaware, appointed during the recess, to be attorney for the district of Delaware, in the place of George Read, junior, deceased.

Samuel S. Hall, of Arkansas, to be attorney for the district of Arkansas, in the place of Grandison D. Royston, appointed during the recess.

Benjamin Patton, junior, to be attorney for the western district of Pennsylvania, from the 20th day of December, 1836, when his present commission will expire.

Nathaniel Williams to be attorney for the district of Maryland, from the 3d day of January, 1837, when his present commission will expire.

Francis S. Key to be attorney for the District of Columbia, from the 29th day of January, 1837, when his present commission will expire.

James H. Relfe, of Missouri, appointed during the recess, to be marshal for the district of Missouri, in the place of Augustus Jones.

James L. Sibley to be marshal for the district of Massachusetts, from the 3d day of March 1837, when his present commission will expire.

Thomas D. Condy to be marshal for the district of South Carolina, from the 20th day of December, 1836, when his present commission will expire.

Burrington Anthony to be marshal for the district of Rhode Island, from the 3d day of January, 1837, when his present commission will expire.

Samuel Drury, appointed during the recess, to be justice of the peace for the county of Washington, in the District of Columbia.

James Ord and Roger C. Weightman to be justices of the peace for the county of Washington, in the District of Columbia, from 2d day of January, 1837, when their present commissions will expire.

ANDREW JACKSON.

WASHINGTON, *December 12th, 1836.*

*To the Senate of the United States:*

I hereby nominate for the approval of the Senate the following persons for the respective appointments made during the recess, viz, to be

*Collectors of the customs.*

Edward V. Davis for the district of Teche, La.

Samuel L. Allen for the district of Bristol and Warren, Rhode Island.

Edwin J. Kelso for the district of Presqu' Isle, Pennsylvania.  
William Frick for the district of Baltimore.

*Surveyors of the customs.*

Archibald M. Hooper for Wilmington, North Carolina.  
Nathaniel Ranney for Saint Louis, Missouri.  
Samuel L. Lightfoot for Norfolk, Virginia

*Land officers.*

Thomas Hunt, register at Detroit, Michigan.  
James M. Strode, register at Chicago, Illinois.  
Gersham T. Bulkley, register at Monroe, Michigan.  
Gordon D. Boyd, receiver at Columbus, Mississippi.  
Theo. J. Wilkinson, receiver at Saint Stephen's, Alabama.  
Richard M. Carter, receiver at New Orleans.

ANDREW JACKSON.

WASHINGTON, *December 7th, 1836.*

*To the Senate of the United States :*

I hereby nominate for the approval of the Senate the following persons for the respective appointments enumerated :

David Turner to be collector of the customs and inspector of the revenue for the port of Beaufort, in the State of South Carolina, to take effect on the 28th of December, 1836, when his present commission will expire.

James Miller to be collector of the customs for the district of Salem and Beverly, in the State of Massachusetts, to take effect on the 3d January, 1837, when his present commission will expire.

Samuel Simons to be collector of the customs for the district and inspector of the revenue for the port of Fairfield, in the State of Connecticut, to take effect on the 8th January, 1837, when his present commission will expire.

Richard Sands to be collector of the customs for the district and inspector of the revenue for the port of Annapolis, in the State of Maryland, to take effect on the 8th January, 1837, when his present commission will expire.

William P. Custis to be collector of the customs for the district and inspector of the revenue for the port of Folly Landing, in the State of Virginia, to take effect on the 10th January, 1837, when his present commission will expire.

Sylvester Brown to be collector of the customs for the district and inspector of the revenue for the port of Ocracoke, in the State of North Carolina, to take effect on the 10th January, 1837, when his present commission will expire.

John N. McIntosh to be collector of the customs for the district and inspector of the revenue for the port of Brunswick, in the State of Georgia, to take effect on the 10th January, 1837, when his present commission will expire.

Joseph Aborn to be surveyor and inspector of the revenue for the port of Pawtucket, in the State of Rhode Island, to take effect on the 4th January, 1837, when his present commission will expire.

Gordon Forbes to be surveyor and inspector of the revenue for the port of Yeocomico, in the State of Virginia, to take effect on the 8th January, 1837, when his present commission will expire.

Adam Cook to be surveyor and inspector of the revenue for the port of Fredericksburg, in the State of Virginia, to take effect on the 4th January, 1837, when his present commission will expire.

Charles B. Lewis to be surveyor and inspector of the revenue for the port of Bayou Saint John, in the district of Mississippi, to take effect on the 8th January, 1837, when his present commission will expire.

Hector Craig to be surveyor of the district and inspector of the revenue for the port of New York, to take effect on the 10th January, 1837, when his present commission will expire.

Isaac Burdick to be naval officer for the district of Newport, in the State of Rhode Island, to take effect on the 28th December, 1836, when his present commission will expire.

Charles J. Steedman to be naval officer for the district of Charleston, in the State of South Carolina, to take effect on the 8th January, 1837, when his present commission will expire.

Enos T. Throop to be naval officer for the district of New York, in the State of New York, to take effect on the 10th January, 1837, when his present commission will expire.

John H. Viers to be receiver of public moneys for the district of lands subject to sale at Steubenville, in the State of Ohio, to take effect on the 4th January, 1837, when his present commission will expire.

James T. Pollock to be receiver of public moneys for the district of lands subject to sale at Crawfordsville, in the State of Indiana, to take effect on the 8th January, 1837, when his present commission will expire.

William Blakey to be receiver of public moneys for the district of lands subject to sale at Palmyra, in the State of Missouri, to take effect on the 4th January, 1837, when his present commission will expire.

William G. Parish to be receiver of public moneys for the district of lands subject to sale at Tuscaloosa, in the State of Alabama, to take effect on the 8th January, 1837, when his present commission will expire.

Samuel Merry to be receiver of public moneys for the district of lands subject to sale at Saint Louis, in the State of Missouri, to take effect on the 23d December, 1836, when his present commission will expire.

James McKissack to be register of the land office at Fayetteville, Arkansas, in the place of William McK. Ball, resigned.

ANDREW JACKSON.

WASHINGTON, *December 8th, 1836.*

*To the Senate of the United States:*

I nominate Timothy A. Hunt, Sylvanus William Godon, and James S. Palmer, now passed midshipmen, to be lieutenants in the Navy, from this date, to supply the vacancies occasioned by the deaths of Archibald S. Campbell, Hubbard H. Hobbs, and Samuel W. Stockton.

Jonathan Dickinson Miller, of New Jersey, to be an assistant surgeon in the Navy, from the 6th of December, 1836, to supply the vacancy occasioned by the death of George W. Palmer.

A. E. Watson, of Massachusetts, to be a purser in the Navy, from the 31st day of August, 1836.

Joseph Bryan, of Georgia, to be a purser in the Navy, from the 1st of September, 1836.

Samuel Forrest, of the District of Columbia, to be a purser in the Navy, from the 8th of October, 1836.

Charles R. Broom to be a major in the Marine Corps, from the 12th of

September, 1836, to fill the vacancy occasioned by the death of John M. Gamble.

James McCawley to be a captain in the Marine Corps, from the 12th of September, 1836, to fill the vacancy occasioned by the promotion of Charles R. Broom.

Jacob Zeilin to be a first lieutenant in the Marine Corps, from the 12th of September, 1836, to fill the vacancy occasioned by the promotion of James McCawley.

Henry B. Watson, of North Carolina, to be a second lieutenant in the Marine Corps, from the 5th of October, 1836, to fill the vacancy occasioned by the promotion of Jacob Zeilin.

Benjamin D. Heriot, of South Carolina, to be Navy agent for the port of Charleston, South Carolina, for four years from the 4th day of October, 1836, in place of John T. Robertson, deceased.

ANDREW JACKSON.

WASHINGTON, *December 7th, 1836.*

*To the Senate of the United States:*

I nominate George W. Walker, a captain in the Marine Corps, to be paymaster of the said corps, from the 7th day of October, 1836, in place of Charles R. Broom, promoted.

ANDREW JACKSON.

WASHINGTON, *December 8th, 1836.*

The messages were severally read.

*Ordered*, That the nominations of district attorneys and marshals be referred to the Committee on the Judiciary.

*Ordered*, That the nominations for appointments in the General Land Office and for registers and receivers of land offices be severally referred to the Committee on Public Lands.

*Ordered*, That the nominations of consuls and officers of the customs be severally referred to the Committee on Commerce.

*Ordered*, That the nominations of secretaries of legation be referred to the Committee on Foreign Relations.

*Ordered*, That the nominations for appointments in the Navy and Marine Corps be severally referred to the Committee on Naval Affairs.

MONDAY, DECEMBER 26, 1836.

The following message was received from the President of the United States, by Mr. Andrew Jackson, junior, his secretary:

*To the Senate of the United States:*

I transmit herewith, for the consideration and action of the Senate, treaties concluded with the Ioways and Sacs of Missouri, with the Sioux, with the Sacs and Foxes, and with the Otoes and Missourias and Omahas, by which they have relinquished their rights in the lands lying between the State of Missouri and the Missouri River, ceded in the first article of the treaty with them of July 15th, 1830.

ANDREW JACKSON.

WASHINGTON, *December 20th, 1836.*

The message and treaties were severally read.

*Ordered*, That they be referred to the Committee on Indian Affairs, and that the treaties be printed in confidence for the use of the Senate.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, junior, his secretary:

*To the Senate of the United States:*

I nominate John Kennedy, of Tennessee, to be commissioner to examine claims under the treaty with the Cherokees of December 29th, 1835, in place of General William Carroll, who has declined.

ANDREW JACKSON.

WASHINGTON, *December 20th, 1836.*

I nominate to the Senate for receiver of public money at Palmyra, Missouri, after 14th January next, Abraham Bird, in place of William Blakely, who declines a reappointment and whose nomination is hereby withdrawn.

ANDREW JACKSON.

20TH DECEMBER, 1836.

I nominate to the Senate Edwin R. Wallace to be attorney of the United States for the northern district of Alabama, in the place of John D. Phelan, declined.

ANDREW JACKSON.

WASHINGTON, *December 19th, 1836.*

*To the Senate of the United States:*

I nominate Martin Gordon to be superintendent of the branch mint at New Orleans, in the State of Louisiana; Joseph I. Singleton to be superintendent of the branch mint at Dahlonega, in the State of Georgia.

ANDREW JACKSON.

DECEMBER 19TH, 1836.

The messages were severally read.

*Ordered*, That the message nominating Abraham Bird be referred to the Committee on Public Lands:

*Ordered*, That the message nominating Edwin R. Wallace be referred to the Committee on the Judiciary.

*Ordered*, That the message nominating John Kennedy be referred to the Committee on Indian Affairs.

*Ordered*, That the message nominating Martin Gordon and Joseph I. Singleton be referred to the Committee on Finance.

The following message was received from the President of the United States, by Mr. Andrew Jackson, junior, his secretary:

*To the Senate of the United States:*

I transmit herewith to the Senate, for their consideration in reference to its ratification, a treaty of peace and friendship between the United States of America and the Emperor of Morocco, concluded at Meccanez, on the 16th of September, 1836, with a report of the Secretary of State and the documents therein mentioned.

ANDREW JACKSON.

WASHINGTON, *20th December, 1836.*

The message and treaty were read.

*Ordered*, That they be referred to the Committee on Foreign Relations.

Mr. Walker, from the Committee on Public Lands, to whom was referred the message nominating James T. Pollock, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of James T. Pollock, agreeably to the nomination.

Mr. Grundy, from the Committee on the Judiciary, to whom was referred the message nominating James A. Bayard and Samuel S. Hall, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of James A. Bayard and Samuel S. Hall, agreeably to their nominations respectively.

Mr. Tallmadge, from the Committee on Foreign Relations, to whom was referred the message nominating C. E. Anderson and Theodore S. Fay, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of C. E. Anderson and Theodore S. Fay, agreeably to their nominations respectively.

Mr. Rives, from the Committee on Naval Affairs, to whom were referred the messages of the 15th instant nominating officers in the Navy and Marine Corps, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Timothy A. Hunt, Sylvanus William Godon, James S. Palmer, Jonathan Dickinson Miller, A. E. Watson, Joseph Bryan, Samuel Forrest, Charles R. Broom, James McCauley, Jacob Zeilin, Henry B. Watson, Benjamin D. Heriot, and George W. Walker, agreeably to their nominations respectively.

*Ordered*, That the nomination of Jesse Miller to be First Auditor of the Treasury, contained in a message of the 15th instant, be referred to the Committee on Finance.

*Ordered*, That the nominations of Samuel Drury, James Ord, and Roger C. Weightman, also contained in a message of the 15th instant, be severally referred to the Committee on the District of Columbia.

TUESDAY, DECEMBER 27, 1836.

The following message was received from the President of the United States, by Mr. Andrew Jackson, junior, his secretary:

*To the Senate of the United States:*

I nominate A. A. Massias, late paymaster in the Army of the United States, whose term of service expired on the 12th instant, for reappointment to the said office.

ANDREW JACKSON.

WASHINGTON, December 27th 1836.

The message was read,

*Ordered*, That the nomination of A. A. Massias be referred to the Committee on Military Affairs.

Mr. Benton, from that committee, reported.

Whereupon

*Resolved unanimously*, That the Senate do advise and consent to the appointment of A. A. Massias, agreeably to the nomination.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, junior, his secretary:

*To the Senate of the United States:*

I nominate William Gates, late major of the 1st Regiment of Artillery, for reappointment in the Army, to be major in the 2nd Regiment of Artillery, to take rank from the 30th May, 1832, the date of his former commission. This officer was stricken from the rolls of the Army by my order, on the 7th of June last, upon a full consideration by me of the proceedings of a court of inquiry held at his request for the purpose of investigating his conduct during and subsequent to the attack on Fort Barnwell, at Volusia, in Florida, in April last, which court, after mature deliberation on the testimony before them, expressed the opinion "that the effective force under the command of Major Gates was much greater than the estimated force of the Indians who attacked him on the morning of the 14th of April, 1836, and that therefore he was capable of meeting the enemy in the field if necessary; also that the bodies of two volunteers killed were improperly left exposed, and ought to have been brought in on the morning when they were killed, such exposure necessarily operating injuriously on the garrison." He is now nominated for a reappointment, to the end that he may be brought to trial before a court-martial, such a trial being solicited by him.

ANDREW JACKSON.

WASHINGTON, 26th December, 1836.

*To the Senate of the United States:*

I nominate the persons named in the accompanying list for promotion and appointment respectively annexed to their names, as proposed by the Secretary of War *ad interim*.

ANDREW JACKSON.

WASHINGTON, December 26th, 1836.

WAR DEPARTMENT, December 24th, 1836.

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for promotion and appointment in the Army of the United States.

I have the honor to be, sir, with great respect, your obedient servant,

B. F. BUTLER,  
*Secretary of War ad interim.*

To the PRESIDENT OF THE UNITED STATES.

ADJUTANT-GENERAL'S OFFICE,  
Washington, 19th December, 1836.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

PROMOTIONS.

*Corps of Engineers.*

First Lieutenant Henry Brewerton to be captain, 21st September, 1836, vice Talcott, resigned.

Second Lieutenant Robert E. Lee to be 1st lieutenant, 21st September, 1836, vice Brewerton, promoted.

Second Lieutenant Alexander J. Swift to be 1st lieutenant, 31st October, 1836, vice Brown, resigned.

Brevet 2nd Lieutenant William Smith to be 2d lieutenant, 21st September, 1836, vice Lee, promoted.

Brevet 2nd Lieutenant John Sanders to be 2nd lieutenant, 30th September, 1836, vice King, resigned.

Brevet 2nd Lieutenant George W. Morell to be 2nd lieutenant, 31st October, 1836, vice Swift, promoted.

*First Regiment of Dragoons.*

First Lieutenant Abram Van Buren to be captain, 4th July, 1836, vice Hunter, resigned.

Second Lieutenant James M. Bowman to be 1st lieutenant, 15th October, 1836; vice Kingsbury, resigned.

Brevet Second Lieutenant Philip R. Thompson to be 2d lieutenant, 26th May, 1836, vice Hanly, deceased.

Brevet Second Lieutenant Richard G. Stockton to be 2d lieutenant, 4th July, 1836, vice Kingsbury, promoted.

Brevet Second Lieutenant Thomas McCrate to be 2nd lieutenant, 31st July, 1836, vice Shaumburg, resigned.

*Second Regiment of Dragoons.*

First Lieutenant Lloyd J. Beall to be captain, 19th October, 1836, vice Lane, deceased.

Second Lieutenant William Gilpin to be 1st lieutenant, 19th October, 1836, vice Beall, promoted.

*First Regiment of Artillery.*

First Lieutenant Lucien B. Webster to be captain, 30th September, 1836, vice Dimmock, resigned.

Second Lieutenant Jacob W. Bailey to be 1st lieutenant, 6 August, 1836, vice Dimmock, promoted.

Second Lieutenant George Watson to be 1st lieutenant, 30th September, 1836, vice Webster, promoted.

Second Lieutenant Erastus A. Capron to be 1st lieutenant, 19th November, 1836, vice McClellan, resigned.

Second Lieutenant David E. Hale to be 1st lieutenant, 30th November, 1836, vice Barry, resigned.

Brevet Second Lieutenant Peter V. Hagner to be 2d lieutenant, 6 August, 1836, vice Bailey, promoted.

Brevet Second Lieutenant Martin J. Burke to be 2nd lieutenant, 31st August, 1836, vice Sitgreaves, resigned.

Brevet Second Lieutenant John S. Hatheway to be 2nd lieutenant, 31st August, 1836, vice Leadbetter, appointed brevet 2 lieutenant in the Corps of Engineers.

*Second Regiment of Artillery.*

Brevet Captain Allen Lowd, 1st lieutenant, to be captain, 30th November, 1836, vice Baden, deceased.

Second Lieutenant Richard H. Peyton to be 1st lieutenant, 28th June, 1836, vice Fitzhugh, resigned.

Second Lieutenant Robert P. Smith to be 1st lieutenant, 30th September, 1836, vice Humphreys, resigned.

Second Lieutenant Edmund Schriver to be 1st lieutenant, 1st November, 1836, vice d'Lagnel, appointed captain of ordnance.

Second Lieutenant James Duncan to be 1st lieutenant, 30th November, 1836, vice Lowd, promoted.

Brevet Second Lieutenant John F. Roland to be 2nd Lieutenant, 4th July, 1836, vice Henderson, deceased.

Brevet Second Lieutenant Henry H. Lockwood to be 2nd lieutenant, 20th July, 1836, vice Loughborough, deceased.

Brevet Second Lieutenant Muscoe L. Shackelford to be 2d lieutenant, 31st July, 1836, vice Burnett, resigned.

Brevet Second Lieutenant Robert Allen to be 2nd lieutenant, 16th August, 1836, vice Humphreys, promoted.

Brevet Second Lieutenant Charles B. Daniels to be 2nd lieutenant, 11th September, 1836, vice Ward, promoted.

*Third Regiment of Artillery.*

Brevet Major Richard B. Lee, 1st lieutenant, to be captain, 31st August, 1836, vice Ansart, resigned.

Brevet Captain Samuel Ringgold, 1st Lieutenant, to be captain, 31st August, 1836, vice Thruston, resigned.

Second Lieutenant Benjamin Poole to be 1st lieutenant, 31st August, 1836, vice Lee, promoted.

Second Lieutenant Edwin Rose to be 1st lieutenant, 31st August, 1836, vice Ringgold, promoted.

Second Lieutenant George H. Talcott to be 1st lieutenant, 15th September, 1836, vice McKee, resigned.

Second Lieutenant Erasmus D. Keyes to be 1st lieutenant, 16th September, 1836, vice Barbarin, resigned.

Brevet Second Lieutenant Christopher A. Green to be 2d lieutenant, 13th August, 1836, vice McKee, promoted.

Brevet Second Lieutenant Christopher Q. Tompkins to be 2nd lieutenant, 31 August, 1836, vice Poole, promoted.

Brevet Second Lieutenant Israel C. Woodruff to be 2nd lieutenant, 31st August, 1836, vice Rose, promoted.

Brevet Second Lieutenant William Frazer to be 2nd lieutenant, 31st August, 1836, vice F. Vinton, resigned.

Brevet Second Lieutenant William Mock to be 2nd lieutenant, 31st August, 1836, vice Anderson, appointed brevet 2nd lieutenant in the Corps of Engineers.

*Fourth Regiment of Artillery.*

Second Lieutenant Joseph E. Johnston to be 1st lieutenant, 31st July, 1836, vice Barnes, resigned.

Second Lieutenant Franklin E. Hunt to be 1st lieutenant, 15th August, 1836, vice Ewing, resigned.

Second Lieutenant Simon H. Drum to be 1st lieutenant, 31 August, 1836, vice Thompson, promoted.

Second Lieutenant Samuel C. Ridgely to be 1st lieutenant, 16th September, 1836, vice Cram, resigned.

Second Lieutenant John N. Macomb to be 1st lieutenant, 15th October, 1836, vice Thompson, resigned.

Second Lieutenant Edward Deas to be 1st lieutenant, 24th October, 1836, vice Beckley, resigned.

Brevet Second Lieutenant Charles B. Sing to be 2nd lieutenant, 1st July, 1836.

Brevet Second Lieutenant John W. Phelps to be 2nd lieutenant, 28th July, 1836, vice Brush, resigned.

Brevet Second Lieutenant George C. Thomas to be 2nd lieutenant, 15th August, 1836, vice Hunt, promoted.

Brevet Second Lieutenant Robert A. Wainwright to be 2nd lieutenant, 22d October, 1836.

Brevet Second Lieutenant Thomas L. Brent to be 2nd lieutenant, 1st November, 1836.

*First Regiment of Infantry.*

Brevet Major John Garland, captain of the 3d Regiment of Infantry, to be major, 30th October, 1836, vice Bliss, promoted.

First Lieutenant John J. Abercrombie to be captain, 4th September, 1836, vice Shannon, deceased.

First Lieutenant Albert S. Miller to be captain, 14th November, 1836, vice Boyce, resigned.

Second Lieutenant John R. B. Gardenier to be 1st lieutenant, 4th September, 1836, vice Abercrombie, promoted.

Second Lieutenant Sidney Burbank to be 1st lieutenant, 29th October, 1836, vice Harris, dismissed.

Second Lieutenant Seth Eastman to be 1st lieutenant, 14th November, 1836, vice Miller, promoted.

Second Lieutenant George Wilson to be 1st lieutenant, 30th November, 1836, vice Stockton, resigned.

Brevet Second Lieutenant James McClure to be 2d lieutenant, 4th September, 1836, vice Gardenier, promoted.

Brevet Second Lieutenant Peter C. Gaillard to be 2d lieutenant, 29th October, 1836, vice Burbank, promoted.

Brevet Second Lieutenant Samuel M. Plummer to be 2d lieutenant, 14th November, 1836, vice Eastman, promoted.

Brevet Second Lieutenant John M. Scott to be 2d lieutenant, 30th November, 1836, vice Wilson, promoted.

*Second Regiment of Infantry.*

First Lieutenant Samuel L. Russell to be captain, 28 June, 1836, vice Johnson, resigned.

First Lieutenant Carlos A. Waite to be captain, 3d July, 1836, vice Ransom, deceased.

First Lieutenant Thompson Morris to be captain, 6th November, 1836, vice Clitz, deceased.

Second Lieutenant Silas Casey to be 1st lieutenant, 28th June, 1836, vice Russell, promoted.

Second Lieutenant Abner R. Hetzell to be 1st lieutenant, 28th June, 1836, vice Gallagher, resigned.

Second Lieutenant James W. Penrose to be 1st lieutenant, 3d July, 1836, vice Waite, promoted.

Second Lieutenant Edwin R. Long to be 1st lieutenant, 6th November, 1836, vice Morris, promoted.

Brevet Second Lieutenant Isaac R. D. Burnett to be 2d lieutenant, 28th June, 1836, vice Casey, promoted.

Brevet Second Lieutenant Henry W. Wessells to be 2d lieutenant, 28th June, 1836, vice Hetzel, promoted.

Brevet Second Lieutenant James W. Anderson to be 2d lieutenant, 3d July, 1836, vice Penrose, promoted.

Brevet Second Lieutenant Thomas Johns to be 2d lieutenant, 31st July, 1836, vice Brown, resigned.

Brevet Second Lieutenant Marsena R. Patrick to be 2d lieutenant, 31st October, 1836, vice Leavenworth, resigned.

*Third Regiment of Infantry.*

First Lieutenant Henry Bainbridge to be captain, 15th June, 1836, vice Harrison, deceased.

First Lieutenant George Wright to be captain, 30th October, 1836, vice Garland, promoted.

First Lieutenant John W. Cotton to be captain, 15th November, 1836, vice Dean, resigned.

Second Lieutenant Thomas Cutts to be 1st lieutenant, 15th June, 1836, vice Bainbridge, promoted.

Second Lieutenant Albert G. Blanchard to be 1st lieutenant, 30th October, 1836, vice Wright, promoted.

Second Lieutenant William O. Kello to be 1st lieutenant, 15th November, 1836, vice Cotton, promoted.

Brevet Second Lieutenant William S. Henry to be 2d lieutenant, 15th June, 1836, vice Cutts, promoted.

Brevet Second Lieutenant Joseph H. Eaton to be 2d lieutenant, 30th October, 1836, vice Blanchard, promoted.

Brevet Second Lieutenant Larkin Smith to be 2d lieutenant, 31st October, 1836, vice Fry, resigned.

*Fourth Regiment of Infantry.*

Lieutenant-Colonel Enos Cutler, of the 5th Regiment of Infantry, to be colonel, 21st September, 1836, vice Clinch, resigned.

First Lieutenant Pitcairn Morrison to be captain, 13th September, 1836, vice Sands, deceased.

First Lieutenant George A. McCall to be captain, 21st September, 1836, vice McIntosh, promoted.

First Lieutenant Lorenzo Thomas to be captain, 23d September, 1836, vice Martin, resigned.

First Lieutenant Richard D. C. Collins to be captain, 2d November, 1836, vice Thornton, deceased.

Second Lieutenant Charles H. Larned to be 1st lieutenant, 7th August, 1836, vice Hood, resigned.

Second Lieutenant Bradford R. Alden to be 1st lieutenant, 13th September, 1836, vice Morris, promoted.

Second Lieutenant William W. S. Bliss to be 1st lieutenant, 21st September, 1836, vice McCall, promoted.

Second Lieutenant Benjamin Alvord to be 1st lieutenant, 23d September, 1836, vice Thomas, promoted.

Second Lieutenant John W. McCrabb to be 1st lieutenant, 30th September, 1836, vice Newcomb, resigned.

Brevet Second Lieutenant Stephen T. Tibbatts to be 2nd lieutenant, 7th August, 1836, vice Larned, promoted.

Brevet Second Lieutenant Charles Hoskins to be 2nd lieutenant, 13th September, 1836, vice Alden, promoted.

Brevet Second Lieutenant Collinson R. Gates to be 2nd lieutenant, 21st September, 1836, vice Bliss, promoted.

Brevet Second Lieutenant Marcus C. M. Hammond to be 2nd lieutenant, 23d September, 1836, vice Alvord, promoted.

Brevet Second Lieutenant Charles H. E. Spoor to be 2nd lieutenant, 30th September, 1836, vice McCrabb, promoted.

*Fifth Regiment of Infantry.*

Brevet Lieutenant-Colonel Sullivan Burbank, major of the 7th Regiment of Infantry, to be lieutenant-colonel from 21st September, 1836, vice Cutler, promoted.

First Lieutenant Alexander Johnston to be captain, 31 October, 1836, vice Cruger, resigned.

First Lieutenant Louis T. Jamieson to be captain, 31st October, 1836, vice Hunt, resigned.

Second Lieutenant James L. Thompson to be 1st lieutenant, 31st October, 1836, vice Johnston, promoted.

Second Lieutenant Caleb Sibley to be 1st lieutenant, 31st October, 1836, vice Jamieson, promoted.

Brevet Second Lieutenant Alexander H. Tappen to be 2nd lieutenant, 31st July, 1836, vice Collingsworth, resigned.

Brevet Second Lieutenant William M. D. McKissack to be 2nd lieutenant, 11th September, 1836, vice Vancleve, resigned.

Brevet Second Lieutenant Joseph H. Whipple to be 2nd lieutenant, 31st October, 1836, vice Thompson, promoted.

Brevet Second Lieutenant Samuel Whitehorne to be 2nd lieutenant, 31st October, 1836, vice Stockton, resigned.

*Sixth Regiment of Infantry.*

Major John Bliss, of the 1st Regiment of Infantry, to be lieutenant-colonel, 30th October, 1836, vice Baker, deceased.

First Lieutenant Levi M. Nute to be captain, 31st July, 1836, vice Rogers, resigned.

First Lieutenant Mark W. Batman to be captain, 16th November, 1836, vice Smith, resigned.

Second Lieutenant Nathaniel J. Eaton to be 1st lieutenant, 31st July, 1836, vice Nute, promoted.

Second Lieutenant Robert Sevier to be 1st lieutenant, 10th August, 1836, vice Linden, deceased.

Second Lieutenant William Hoffman to be 1st lieutenant, 16th November, 1836, vice Batman, promoted.

Brevet Second Lieutenant Jacob E. Blake to be 2nd lieutenant, 31st July, 1836, vice Eaton, promoted.

Brevet Second Lieutenant John P. Center to be 2nd lieutenant, 10th August, 1836, vice Sevier, promoted.

Brevet Second Lieutenant George H. Ringgold to be 2d lieutenant, 15th August, 1836, vice Drayton, resigned.

Brevet Second Lieutenant Joseph P. Harrison to be 2nd lieutenant, 16th November, 1836, vice Hoffman, promoted.

*Seventh Regiment of Infantry.*

Brevet Major James S. McIntosh, captain of the 4th Regiment of Infantry, to be major, 21st September, 1836, vice Burbank, promoted.

First Lieutenant Washington Seawell to be captain, 31st July, 1836, vice Tillinghast, resigned.

Second Lieutenant Roger S. Dix to be 1st lieutenant, 31st July, 1836, vice Seawell, promoted.

Second Lieutenant Richard C. Gatlin to be 1st lieutenant, 31st August, 1836, vice Mather, resigned.

Second Lieutenant Gabriel R. Paul to be 1st lieutenant, 26th October, 1836, vice Cass, resigned.

Brevet Second Lieutenant William H. Griffin to be 2nd lieutenant, 31 July, 1836, vice Dix, promoted.

Brevet Second Lieutenant James M. Wells to be 2nd lieutenant, 31st August, 1836, vice Gatlin, promoted.

Brevet Second Lieutenant Thomas B. Arden to be 2nd lieutenant, 26th October, 1836, vice Paul, promoted.

#### APPOINTMENTS.

Wharton Rector, Missouri, to be paymaster, 15th August, 1836.

Christopher Andrews, District of Columbia, to be paymaster, 24th October, 1836.

Donald Fraser, New York, to be paymaster, 9th October, 1836.

Thomas Lawson, surgeon, to be surgeon-general, 30th November, 1836.

Robert Southgate, Virginia, to be assistant surgeon, 30th August, 1836.

Isaac H. Baldwin, Virginia, to be assistant surgeon, 30th August, 1836.

Samuel Forry, Pennsylvania, to be assistant surgeon, 30th August, 1836.

Charles McCormick, District of Columbia, to be assistant surgeon, 30th August, 1836.

Wade Sullivan, Virginia, to be assistant surgeon, 21st November, 1836.

Charles H. Laub, District of Columbia, to be assistant surgeon, 30th November, 1836.

Daniel B. Spencer, Virginia, to be military storekeeper, purchasing department, 14th November, 1836.

Julius A. d'Lagnel, 1st lieutenant 2d Artillery, to be captain of ordnance, 1st November, 1836, vice Parrott, resigned.

William S. Harney, late paymaster, to be lieutenant-colonel 2nd Regiment of Dragoons, 15th August, 1836, vice Rector, declined.

William M. Fulton, Virginia, to be captain, 2nd Regiment of Dragoons, 6th October, 1836, vice Dougherty, declined.

Croghan Kerr, 2d lieutenant 2nd Regiment of Dragoons, to be 1st lieutenant 2nd Regiment of Dragoons, 6th October, 1836, vice Grimsley, declined.

Alexander S. Macomb, 2nd lieutenant 1st Regiment of Dragoons, to be 1st lieutenant 2nd Regiment of Dragoons, 6th October, 1836, vice Grooms, declined.

Nathaniel W. Hunter, late lieutenant 7th Infantry, to be 2nd lieutenant 2nd Regiment of Dragoons, 6th October, 1836, vice Ker, appointed 1st lieutenant.

Robert B. Lawton, Rhode Island, to be 2nd lieutenant 2nd Regiment of Dragoons, 12th October, 1836, vice Ward, declined.

Nathan Darling, New York, to be 2nd lieutenant 2nd Regiment of Dragoons, 23d November, 1836, vice Gilpin, promoted.

John L. Hooper, late 2nd lieutenant, to be 1st lieutenant in the 4th Regiment of Infantry, 2nd November, 1836, vice Collins, promoted.

George W. Suggett, Kentucky, to be 2nd lieutenant 1st Regiment of Dragoons.

Richard West, jun'r, Maryland, to be 2nd lieutenant 1st Regiment of Dragoons.

Fayette Robinson, Virginia, to be 2nd lieutenant 1st Regiment of Dragoons.

R. JONES,  
*Adjutant-General of the Army.*

*To the Senate of the United States:*

I nominate Matthew Gayle to be receiver of public moneys for the district of lands subject to sale at Cahaba, in the State of Alabama, vice Uriah G. Mitchell, resigned.

ANDREW JACKSON.

WASHINGTON, December 24th, 1836.

The messages were severally read.

*Ordered*, That the messages nominating officers in the Army be severally referred to the Committee on Military Affairs.

*Ordered*, That the message nominating Matthew Gale be referred to the Committee on Public Lands.

Mr. Grundy, from the Committee on the Judiciary, to whom was referred the nomination of Edwin R. Wallace, reported.

Whereupon.

*Resolved*, That the Senate do advise and consent to the appointment of Edwin R. Wallace, agreeably to the nomination.

Mr. Walker, from the Committee on Public Lands, to whom were referred the nominations for appointments in the General Land Office, and of sundry registers and receivers of land offices, reported in part.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of James Whitcomb, Matthew Birchard, John M. Moore, Samuel D. King, William T. Steiger, James M. Strode, Gordon D. Boyd, Theo. I. Wilkinson, Richard M. Carter, and James McKissack, agreeably to their nominations respectively.

Mr. Wright, from the Committee on Finance, to whom were referred the nominations of Jesse Miller, Martin Gordon, and Joseph I. Singleton, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Jesse Miller, Martin Gordon, and Joseph I. Singleton, agreeably to their nominations respectively.

FRIDAY, JANUARY 6, 1837.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, junior, his secretary:

I nominate to the Senate Charles S. Sibley, of Tallahassee, to be attorney of the United States for the middle district of Florida, in the place of James D. Westcott, resigned.

ANDREW JACKSON.

WASHINGTON, December 28th, 1836.

*To the Senate of the United States:*

I nominate John C. Cleland to be receiver of public moneys for the district of lands subject to sale at Saint Augustine, Florida, in the place of William H. Allen, deceased.

ANDREW JACKSON.

WASHINGTON, *December 28th, 1836.*

*To the Senate of the United States:*

I nominate George W. Robbins, now a second lieutenant, to be a first lieutenant in the Marine Corps from the 12th day of December, 1836, to supply the vacancy occasioned by the death of Andrew Ross.

James Broom, of the District of Columbia, to be a second lieutenant in the Marine Corps from this date, to fill the vacancy occasioned by the promotion of George W. Robbins.

ANDREW JACKSON.

WASHINGTON, *December 28th, 1836.*

I nominate to the Senate George A. Porter to be consul of the United States for the port of Constantinople, in the place of John P. Brown, resigned.

ANDREW JACKSON.

WASHINGTON, *January 2nd, 1837.*

I nominate to the Senate William H. Tracy to be consul of the United States for the port of Guayama, in the Island of Porto Rico.

ANDREW JACKSON.

WASHINGTON, *January 2d, 1837.*

I nominate Richard Bennet, of the District of Columbia, to the office of second lieutenant of the First Regiment of Infantry.

ANDREW JACKSON.

WASHINGTON CITY, *December 29th, 1836.*

*To the President of the Senate of the United States:*

I beg leave to withdraw the nomination of William P. Custis as collector of customs of the port of Folly Landing, Virginia, it having been by mistake.

ANDREW JACKSON.

WASHINGTON, *January 6th, 1837.*

I nominate to the Senate Henry Toland, Cheney Hickman, Charles McCalester, all of Pennsylvania, James Rogers, of Delaware, and David Henshaw, of Massachusetts, to be directors in the Bank of the United States, until the end and expiration of the first Monday in the month of January, 1838.

ANDREW JACKSON.

WASHINGTON, *January 6th, 1837.*

*Gentlemen of the Senate:*

I nominate the following persons to be deputy postmasters, viz:

James W. Borden at Richmond, Indiana, in the place of Daniel Reid, resigned.

James M. Campbell at Louisville, Kentucky, in the place of John P. Oldham, resigned.

Samuel G. Frierson at Tuscaloosa, Alabama, in the place of Washington Moody, resigned.

John D. Coffee at Florence, Alabama, in the place of P. F. Pearson, resigned.

James C. Coleman at Maysville, Kentucky, in the place of N. D. Coleman, resigned.

Daniel B. Turner at Huntsville, Alabama, in the place of William Atwood, deceased.

Edmund B. Glasscock at Augusta, Georgia, in the place of William C. Micon, resigned.

The gentlemen nominated, except the last, have received temporary appointments in the recess of the Senate.

ANDREW JACKSON.

JANUARY 3D, 1837.

The messages were severally read.

*Ordered*, That the message nominating Charles S. Sibley, be referred to the Committee on the Judiciary.

*Ordered*, That the message nominating John C. Cleland be referred to the Committee on the Public Lands.

*Ordered*, That the message nominating George W. Robbins and James Broom be referred to the Committee on Naval Affairs.

*Ordered*, That the messages nominating George A. Porter and William H. Tracy be severally referred to the Committee on Commerce.

*Ordered*, That the message nominating Richard Bennet be referred to the Committee on Military Affairs.

*Ordered*, That the message nominating Henry Toland and others be referred to the Committee on Finance.

*Ordered*, That the message nominating James W. Borden and others be referred to the Committee on the Post-Office and Post-Roads.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jun'r, his secretary:

*To the Senate of the United States :*

I transmit herewith, for your consideration and action, a treaty with the Sac and Fox Indians, accompanied by a report from the War Department and sundry other papers. I recommend the modifications proposed in the report.

ANDREW JACKSON.

WASHINGTON, 30th December, 1836.

*To the Senate of the United States :*

I transmit herewith, for your consideration and action, four treaties with bands of Potawatamie Indians in Indiana, accompanied by a report from the War Department and sundry other papers.

ANDREW JACKSON.

WASHINGTON, 30th December, 1836.

*To the Senate of the United States :*

I transmit herewith, for your consideration and action, a treaty with the Menomonie tribe of Indians, accompanied by a report from the War Department. I recommend the modifications proposed in the report.

ANDREW JACKSON.

WASHINGTON, 30th December, 1836.

The messages and treaties were severally read.

*Ordered*, That the messages, treaties, and accompanying documents be severally referred to the Committee on Indian Affairs, and that the treaties be printed in confidence for the use of the Senate.

Mr. Grundy, from the Committee on the Judiciary, to whom was referred that part of the message of the 15th ultimo nominating attorneys and marshals, reported the residue of said nominations, except that of James H. Relf.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Benjamin Patton, Nathaniel Williams, Francis S. Key, Jonas L. Sibley, Thomas D. Condy, and Burrington Anthony, agreeably to their respective nominations.

Mr. Kent, from the Committee on the District of Columbia, to whom was referred that part of the message of the 15th ultimo nominating justices of the peace, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Samuel Drury, James Ord, and Roger C. Weightman, agreeably to their nominations respectively.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the message of the 27th ultimo nominating William Gates, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of William Gates, agreeably to the nomination.

Mr. Buchanan, from the Committee on Foreign Relations, to whom was referred the message of the 26th ultimo, transmitting a treaty with the Emperor of Morocco, and the accompanying documents, reported the same without amendment.

On motion by Mr. Buchanan,

*Ordered*, That the said treaty be printed in confidence for the use of the Senate.

MONDAY, JANUARY 9, 1837.

Mr. Grundy, from the Committee on the Judiciary, to whom was referred the message of the 6th instant nominating Charles S. Sibley, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Charles S. Sibley, agreeably to the nomination.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the message of the 6th instant nominating Richard Bennet, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Richard Bennet, agreeably to the nomination.

Mr. King, of Alabama, from the Committee on Commerce, to whom were referred the messages of the 15th ultimo nominating officers of the customs, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Edward V. Davis, Samuel Allen, Idwin I. Kelso, William Frick, Archibald M. Hooper, Nath'l Ranney, Samuel L. Lightfoot, David Turner, James Miller, Samuel Simons, Richard Sands, Sylvester Brown, John N. McIntosh, Joseph Aborn, Gordon Forbes, Adam Cook, Charles B. Lewis, Hector Craig, Isaac Burdick, Charles I. Steedman, and Enos T. Throop, agreeably to their nominations respectively.

Mr. King, of Alabama, from the Committee on Commerce, to whom

was referred the message of the 15th ultimo nominating consuls, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Thomas Lumpkin, Thomas R. Gray, Thomas H. Barker, Joseph Ray, Charles D. Arfwedson, John G. McCall, Charles Garavini, Albert Dabadie, Christian F. Shultz, and George W. Greene, agreeably to their respective nominations.

Mr. Robinson, from the Committee on the Post-Office and Post-Roads, to whom was referred the message of the 6th instant, nominating deputy postmasters, reported in part.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Edmund B. Glasscock, agreeably to the nomination.

### WEDNESDAY, JANUARY 11, 1837.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

I nominate to the Senate William A. Weaver, of Virginia, to be clerk to the commissioner under the law to carry into effect a convention between the United States and Spain, concluded on the 17th day of February, 1834, in the place of Cornelius Van Ness, resigned.

ANDREW JACKSON.

WASHINGTON, *January 7th, 1837.*

*To the Senate of the United States:*

I withdraw the nomination of Cheney Hickman, who has been appointed a director in the Pennsylvania United States Bank, and nominate for that appointment John K. Kane.

ANDREW JACKSON.

JANUARY 10th, 1837.

*To the Senate of the United States:*

I nominate John H. Wheeler to be superintendent of the branch mint at Charlotte, in the State of North Carolina.

ANDREW JACKSON.

WASHINGTON, *Jan'y 7th, 1837.*

The messages were severally read.

*Ordered*, That the message nominating William A. Weaver be referred to the Committee on Foreign Relations.

*Ordered*, That the messages nominating John K. Kane and John H. Wheeler be severally referred to the Committee on Finance.

Mr. Walker, from the Committee on Public Lands, to whom was referred the several messages of the 15th, and those of the 26th and 27th of December last, and that of the 6th instant nominating sundry land officers, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Thomas Hunt, Gersham T. Bulkley, John H. Viers, William G. Parish, Samuel Merry, John C. Cleland, Matthew Gale, and Abraham Bird, agreeably to their nominations respectively.

Mr. Robinson, from the Committee on the Post-Office and Post-Roads,

to whom was referred the message nominating deputy postmasters, reported in part.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of James W. Borden, James M. Campbell, Samuel G. Frierson, John D. Coffee, and James C. Coleman, agreeably to their nominations respectively.

TUESDAY, JANUARY 17, 1837.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

*To the Senate of the United States:*

I nominate Samuel Leach to be register of the land office for the district of lands subject to sale at Quincy, in the State of Illinois, vice Samuel Alexander, dec'd.

ANDREW JACKSON.

WASHINGTON, Jan'y 11th, 1837.

*To the Senate of the United States:*

I nominate E. V. Davis to be register of the land office for the districts of lands subject to sale at Opelousas, in the State of Louisiana, vice I. J. Taylor, resigned.

ANDREW JACKSON.

WASHINGTON, January 11th, 1837.

*To the Senate of the United States:*

I nominate Thomas N. Cameron to be collector of the customs for the district of Wilmington, in the State of North Carolina, vice James Owen, whose commission expired on the 10th inst.

ANDREW JACKSON.

WASHINGTON, Jan'y 17th, 1837.

*To the Senate of the United States:*

I nominate Charles Peavey to be surveyor and inspector of the revenue for the port of Eastport, in the State of Maine, to take effect from the 8th of December last, when his former commission expired.

ANDREW JACKSON.

WASHINGTON, January 12th, 1837.

The messages were severally read.

*Ordered*, That the messages nominating land officers be referred to the Committee on Public Lands.

*Ordered*, That the messages nominating officers of the customs be referred to the Committee on Commerce.

The Senate proceeded to consider, as in Committee of the Whole, the treaty with His Majesty the Emperor of Morocco; and no amendment being made thereto, it was reported to the Senate.

Mr. Buchanan submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring)*, That the Senate do advise and consent to the ratification of the treaty between the United States of America and His Majesty the Emperor of Morocco, concluded at Meccanez on the 16th of September, 1836.

The Senate proceeded to consider the resolution, by unanimous consent; and,

On the question, Will the Senate agree to the resolution ? It was determined in the affirmative, yeas 27.

Those who voted are,

Messrs. Black, Brown, Buchanan, Calhoun, Dana, Ewing of Illinois, Ewing of Ohio, Fulton, Grundy, Hendricks, Hubbard, King of Alabama, Linn, Morris, Page, Rives, Robinson, Ruggles, Sevier, Strange, Tallmadge, Tipton, Tomlinson, Walker, Wall, White, Wright.

So the resolution was agreed to.

*Ordered*, That the Secretary lay the same before the President of the United States.

Mr. Wright, from the Committee on Finance, to whom were referred the messages of the 6th and 11th instant nominating directors of the Bank of the United States, reported:

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Henry Toland, Charles McCalester, James Rogers, David Henshaw, and John K. Kane, agreeably to their nominations respectively.

Mr. Wright, from the Committee on Finance, to whom was referred the message of the 11th instant, nominating a superintendent of the branch mint at Charlotte, North Carolina, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of John H. Wheeler, agreeably to the nomination.

Mr. Rives, from the Committee on Naval Affairs, to whom was referred the message of the 6th instant nominating officers in the Marine Corps, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of George W. Robbins and James Broom, agreeably to their respective nominations.

## WEDNESDAY, JANUARY 18, 1837.

Mr. Tallmadge, from the Committee on Foreign Relations, to whom was referred the message of the 11th instant nominating William A. Weaver as clerk to the commissioner under the treaty with Spain, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of William A. Weaver, agreeably to the nomination.

Mr. King, of Alabama, from the Committee on Commerce, to whom were referred the messages of the 17th instant nominating officers of the customs, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Thomas A. Cameron and Charles Peavy, agreeably to their nominations respectively.

Mr. Walker, from the Committee on Public Lands, to whom was referred the messages of the 17th instant nominating land officers, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Samuel Leach and E. V. Davis, agreeably to their respective nominations.

WEDNESDAY, JANUARY 25, 1837.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

*To the Senate of the United States:*

I nominate Callender Irvine for the appointment annexed to his name, as proposed by the Secretary of War *ad interim.*

ANDREW JACKSON.

WASHINGTON, 21st January, 1837.

WAR DEPARTMENT, 20th January, 1837.

SIR: I have the honor to submit herewith the name of Callender Irvine for reappointment as commissary-general of purchases, whose present commission will expire on the 3d of March next.

I have the honor to be, sir, with great respect, your ob't serv't,  
B. F. BUTLER.

To the PRESIDENT OF THE UNITED STATES.

*To the Senate of the United States:*

I nominate the persons named in the accompanying list for promotion and appointment respectively annexed to their names, as proposed by the Secretary of War *ad interim.*

ANDREW JACKSON.

WASHINGTON, 21st January 1837.

WAR DEPARTMENT, January 9th, 1837.

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for promotion and appointment in the Army of the United States.

I have the honor to be, sir, with great respect, your ob't serv't,  
B. F. BUTLER.

To the PRESIDENT OF THE UNITED STATES.

ADJUTANT-GENERAL'S OFFICE,  
Washington, 9th January, 1837.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

*First Regiment of Artillery.*

Second Lieutenant John F. Lee to be 1st lieutenant, 17th December, 1836, vice Mackay, deceased.

*Second Regiment of Artillery.*

Brevet Captain Henry S. Mallory, 1st lieutenant, to be captain, 31st December, 1836, vice Legate, resigned.

Second Lieutenant Epaphras Kibby to be 1st lieutenant, 31st December, 1836, vice Mallory, promoted.

Second Lieutenant Charles A. Fuller to be 1st lieutenant, 31st December, 1836, vice Ward, promoted.

Second Lieutenant Thomas P. Ridgeley to be 1st lieutenant, 31st December, 1836, vice Smith, resigned.

*First Regiment of Infantry.*

Second Lieutenant Edmond A. Ogden to be 1st lieutenant, 17th December, 1836, vice Greenough, resigned.

*Second Regiment of Infantry.*

Second Lieutenant James M. Hill to be 1st lieutenant, 31st December, 1836, vice Bloodgood, resigned.

*Fifth Regiment of Infantry.*

Second Lieutenant Camillus C. Daviess to be 1st lieutenant, 31st December, 1836, vice Berrien, resigned.

Second Lieutenant William Chapman to be 1st lieutenant, 31st December, 1836, vice Center, resigned.

*Sixth Regiment of Infantry.*

First Lieutenant George Andrews to be captain, 31st December, 1836, vice Palmer, resigned.

Second Lieutenant Albemarle Cady to be 1st lieutenant, 31st December, 1836, vice Andrews, promoted.

Brevet Second Lieutenant William S. Ketchum to be 2nd lieutenant, 31st December, 1836, vice Cady, promoted.

*Appointments.*

Assistant Surgeon Philip Minis to be surgeon, 1st December, 1836.

Assistant Surgeon Henry A. Stinnecke to be surgeon, 31st December, 1836.

Charles D. Maxwell, N. Y., to be assistant surgeon, 30th November, 1836.

Edmund Kirby, paymaster in the Army, to be reappointed, to take effect the 5th August, 1836, when his present commission expired.

Adam D. Stewart, paymaster in the Army, to be reappointed, to take effect the 14th January, 1837, when his present commission will expire.

R. JONES.

*Adj't Gen'l.*

*To the Senate of the United States:*

I nominate George Hudson to be collector of the customs for the district and inspector of the revenue for the port of Snow Hill, in the State of Maryland, from the 26th day of February, 1837, when his present commission will expire.

Abraham Wendall to be collector of the customs for the district and inspector of the revenue for the port of Michilimackinac, in Michigan, from the 9th day of February, 1837, when his present commission will expire.

ANDREW JACKSON.

WASHINGTON, Jan'y 24th, 1837.

*To the Senate of the United States:*

I nominate Thomas Scott to be register of the land office for the district of lands subject to sale at Chillicothe, in the State of Ohio, from the 9th day of February, 1837, when his present commission will expire.

Daniel B. Miller to be receiver of public moneys for the district of lands subject to sale at Monroe, in Michigan, from the 9th day of February, 1837, when his present commission will expire.

ANDREW JACKSON.

WASHINGTON, *Jan'y 24th, 1837.*

The messages were severally read.

*Ordered*, That the messages nominating officers in the military service be referred to the Committee on Military Affairs.

*Ordered*, That the message nominating officers of the customs be referred to the Committee on Commerce.

*Ordered*, That the message nominating land officers be referred to the Committee on Public Lands.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary :

*To the Senate of the United States :*

I transmit, for your Constitutional action, a report from the War Department, accompanied by a treaty with the Stockbridge and Munsee Indians.

ANDREW JACKSON.

WASHINGTON, *January 21st, 1837.*

*To the Senate of the United States :*

I transmit, for your constitutional action, a report from the War Department, accompanied by a treaty with a portion of the New York Indians.

ANDREW JACKSON.

WASHINGTON, *January 21st, 1837.*

The messages and treaties were severally read.

*Ordered*, That they be severally referred to the Committee on Indian Affairs, with the documents accompanying the same, and that the treaties be printed in confidence for the use of the Senate.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the message of the 27th of December last nominating officers for promotion and appointment in the Army of the United States, reported the same, with the exception of the appointment of Daniel B. Spencer.

Whereupon

*Resolved*, That the Senate do advise and consent to the promotions and appointments respectively contained in said message, with the exception of the appointment of Daniel B. Spencer, not reported from the committee.

FRIDAY, FEBRUARY 10, 1837.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary :

*To the Senate of the United States :*

I transmit communications from the War Department relating to the treaty with the Sacs and Foxes, recently submitted to the Senate.

ANDREW JACKSON.

WASHINGTON, *February 7th, 1837.*

*To the Senate of the United States:*

I transmit herewith, for the constitutional action of the Senate, a report from the War Department, accompanied by a treaty with the Saginaw tribe of Chippewa Indians.

ANDREW JACKSON.

WASHINGTON, *February 7th, 1837.*

The messages and treaty were severally read.

*Ordered,* That the said treaty and messages, with the documents accompanying the same, be severally referred to the Committee on Indian Affairs, and that they be printed in confidence for the use of the Senate.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

*To the Senate of the United States:*

I herewith nominate Mr. George Slacum, of Alexandria, D. C., to be consul at Rio de Janeiro, in the place of I. M. Baker, recalled.

ANDREW JACKSON.

WASHINGTON, *January 26th, 1837.*

I nominate to the Senate William B. Slaughter to be secretary for the Territory of Wisconsin, in the place of John S. Horner.

ANDREW JACKSON.

WASHINGTON, *February 3d, 1837.*

*To the Senate of the United States:*

I nominate Ambrose Crane to be collector of the customs for the district of St. Marks, and inspector of the revenue for the port of Magnolia, in the Territory of Florida, vice Jesse H. Willis, resigned.

ANDREW JACKSON.

WASHINGTON, *February 2nd, 1837.*

*To the Senate of the United States:*

I nominate William Blanchard to be surveyor and inspector of the revenue for the port of Windsor, in the State of North Carolina, vice John Haywood, resigned.

ANDREW JACKSON.

WASHINGTON, *February 1st, 1837.*

*To the Senate of the United States:*

I nominate John S. Horner to be register of the land office for the district of lands subject to sale at Green Bay, in the Territory of Wisconsin, vice William B. Slaughter, resigned.

ANDREW JACKSON.

WASHINGTON, *February 3d, 1837.*

*To the Senate of the United States:*

I nominate Thomas A. Brady, of New York, to be a second lieutenant in the United States Marine Corps from this date, to supply the vacancy occasioned by the resignation of William M. McArdle.

ANDREW JACKSON.

WASHINGTON, *February 3d, 1837.*

I nominate to the Senate Charles McKnight to be a justice of the peace for the county of Alexandria, in the District of Columbia.

ANDREW JACKSON.

WASHINGTON, *February 2nd, 1837.*

*To the Senate of the United States:*

I nominate William M. Hunter, John D. Sloat, Matthew C. Perry, Charles W. Skinner, John T. Newton, Joseph Smith, Lawrence Rousseau, George W. Storer, Beverly Kennon, Edward R. Shubrick to be captains in the Navy from this date; John Gwinn, Thomas W. Wyman, Andrew Fitzhugh, Abraham S. Ten Eick, John White, Hiram Paulding, Jonathan B. Williamson, Uriah P. Levy, Charles Boarman, French Forrest, William E. McKenney, William I. Belt, William Jameson, William Boerum, Charles L. Williamson, Charles Gauntt, William Ramsay, Ralph Voorhees, Henry Henry to be masters commandant in the Navy from this date; William Radford, Samuel F. Hazard, John M. Berrien, George A. Prentiss, John C. Sharpe, John C. Carter, George Hurst, Alfred Taylor, Samuel Phillips Lee, John P. Gilliss, Joseph W. Jarvis, Simon B. Bissell, Samuel Swartwout, John J. Glasson, Samuel T. Gillet, Raphael Semmes, jr., James F. Miller, James P. McKinstry, William A. Wurts to be lieutenants in the Navy from this date.

ANDREW JACKSON.

WASHINGTON, February 9th, 1837.

*To the Senate of the United States:*

I nominate William Whelan, Samuel Barrington, Thomas L. Smith, George Blacknall, Horatio N. Glentworth, and Lewis B. Hunter to be surgeons in the Navy from this date.

Augustus J. Bowie, of Maryland; Richard W. Leecock, of Virginia; Charles F. B. Guillon, of Pennsylvania; John L. Fox, of Massachusetts; John S. Messersmith, of Pennsylvania; John J. Abernethy, of Connecticut, to be assistant surgeons in the Navy from this date.

ANDREW JACKSON.

WASHINGTON, February 9, 1837.

*To the Senate of the United States:*

I nominate Elias Kane to be Navy agent for the navy-yard in the city of Washington and for the Navy Department, for four years from the 14th of July, 1836, the time when his former commission of four years expired.

ANDREW JACKSON.

WASHINGTON, February 6, 1837.

The messages were severally read.

*Ordered*, That the messages nominating a consul and officers of the customs be severally referred to the Committee on Commerce.

*Ordered*, That the message nominating a secretary for the Territory of Wisconsin be referred to the Committee on the Judiciary.

*Ordered*, That the message nominating a Register of the Land Office be referred to the Committee on Public Lands.

*Ordered*, That the messages nominating an officer in the Marine Corps, certain captains, masters commandant, and lieutenants, surgeons and assistant surgeons in the Navy, and a Navy agent be severally referred to the Committee on Naval Affairs.

*Ordered*, That the message nominating a justice of the peace be referred to the Committee on the District of Columbia.

Mr. White, from the Committee on Indian Affairs, to whom were referred, on the 26th December last, treaties with Wa-ba-shaw's band of Sioux, the Ioway tribe, and the band of Sacs and Foxes of the Missouri, and with the Sac and Fox Indians, and to whom were also referred, on

he 6th of January last, treaties with Pepin-a waw, No-taw-kah, and Mac-kah-tah-mo-ah, chiefs and headmen of the Pottawatamie tribe of Indians, and their bands; with Ti-o-sa's brother, Me-mot-way, and Che-quau-ka-ko, chiefs and headmen of the Pottawatamie tribe of Indians and their bands; with Mo-sack, chief of the Pottawatamie tribe of Indians, and his band; and with the chiefs, warriors, and headmen of the Pottawatamie Indians of the Wabash; and with the Menomonie nation of Indians, reported them severally without amendment.

Mr. White, from the same committee, also reported the treaties with the Ottoes, Missourias, Omahaws, and Yancon and Santee bands of Sioux, and the Menomonie nation of Indians, the former of which was referred on the 26th of December, and the latter on the 6th of January last, with amendments to each.

The said treaties were severally read the second time.

The Senate proceeded to consider, as in Committee of the Whole, the treaty with Wa-ba-shaw's band of Sioux; and no amendment having been made thereto, it was reported to the Senate.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring),* That the Senate do advise and consent to the ratification of the treaty between the United States of America and the Sioux of Wa-ba-shaw's tribe of Indians, concluded the tenth day of September, eighteen hundred and thirty-six.

The resolution was considered, by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, yeas 35.

Those who voted are,

Messrs. Bayard, Black, Buchanan, Cuthbert, Dana, Ewing of Illinois, Fulton, Grundy, Hendricks, Hubbard, Kent, King of Georgia, Knight, Linn, McKean, Moore, Mouton, Nicholas, Niles, Norvell, Page, Parker, Prentiss, Rives, Robbins, Robinson, Ruggles, Sevier, Swift, Tallmadge, Tipton, Tomlinson, Walker, White, Wright.

*Ordered,* That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the treaty with the Ioway tribe of Indians and the band of Sacs and Foxes, of Missouri, and no amendment having been made thereto, it was reported to the Senate.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring),* That the Senate do advise and consent to the ratification of the treaty between the United States of America and the Ioway tribe and the band of Sacs and Foxes, of the Missouri Indians (residing west of the State of Missouri), concluded at Fort Leavenworth the seventeenth day of September, one thousand eight hundred and thirty-six.

The resolution was considered by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, yeas 30.

Those who voted are,

Messrs. Bayard, Benton, Buchanan, Cuthbert, Ewing of Illinois, Fulton, Grundy, Hendricks, Hubbard, Kent, King of Alabama, King of Georgia, Linn, McKean, Moore, Nicholas, Norvell, Page, Parker, Rives, Robbins, Robinson, Ruggles, Sevier, Swift, Tallmadge, Walker, Wall, White, Wright.

*Ordered,* That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the treaty with the Sac and Fox Indians; and no amendment having been made thereto, it was reported to the Senate.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring),* That the Senate do advise and consent to the ratification of the treaty between the United States of America and the Sac and Fox tribe of Indians, concluded the twenty-seventh day of September, eighteen hundred and thirty-six.

The resolution was considered by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, yeas 30.

Those who voted are,

Messrs. Bayard, Benton, Black, Crittenden, Dana, Ewing of Illinois, Fulton, Grundy, Hubbard, Kent, King of Alabama, Linn, Moore, Mouton, Nicholas, Niles, Norvell, Parker, Prentiss, Robbins, Robinson, Sevier, Swift, Tallmadge, Tipton, Walker, Wall, Webster, White, Wright.

*Ordered,* That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the treaty with the Otoes, Missourias, Omahaws, and Yaneton and Santee bands of Sioux Indians, with the amendments reported thereto by the Committee on Indian Affairs:

To strike out from article third the following words: "and that there shall be a suitable person employed as farmer to assist and instruct them in cultivating the soil, so soon and for such time as the President of the United States may deem proper";

And to strike out the fourth article.

The question was stated, Shall these words and the said article stand part of the treaty?

It was determined in the negative, nays 31.

Those who voted are,

Messrs. Bayard, Benton, Black, Cuthbert, Ewing of Illinois, Ewing of Ohio, Fulton, Grundy, Hendricks, Hubbard, Kent, King of Alabama, Linn, McKean, Moore, Mouton, Nicholas, Niles, Norvell, Parker, Robbins, Robinson, Sevier, Swift, Tallmadge, Tipton, Walker, Wall, Webster, White, Wright.

No further amendment having been made, the said treaty, as amended, was reported to the Senate, and the amendments were unanimously concurred in.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring),* That the Senate do advise and consent to the ratification of the treaty between the United States of America and the Otoes, Missourias, Omahas, and Yaneton and Santee bands of Sioux Indians, concluded at Bellevue, Upper Missouri, the fifteenth day of October, eighteen hundred and thirty-six, with the following amendments:

Strike out from the third article the following words: "And that there shall be a suitable person employed as farmer, to assist and instruct them in cultivating the soil, so soon and for such a time as the President of the United States may deem proper."

Strike out the fourth article, in the following words:

"ARTICLE 4. The undersigned chiefs, braves, and headmen of the tribes hereinbefore named, feeling sensible of the many acts of kindness and liberality manifested towards them and their respective tribes

by their good friends Joseph Roubadoux, senior, and Lucien Fontenelle, during an intercourse of many years, aware of the heavy losses sustained by them at different times by their liberality in extending large credits to them and to their people, which have never been paid, and which (owing to the impoverished situation of their country and their scanty means of living) never can be, are anxious to evince some evidence of gratitude for such benefits and favors, and compensate the said individuals in some measure for their losses. To this end, at the earnest solicitation of said tribes, it is agreed the said Joseph Roubadoux, senior, shall have the privilege of selecting three sections of land anywhere within the ceded territory, so soon as the same shall be surveyed, and the said Lucien Fontenelle shall be permitted to select two sections in like manner, which shall be conveyed to them by the United States, without cost, whenever the land so selected shall be reported by them, their agents or legal representatives, to the register and receiver of the land office of the district in which they lie. It is, however, distinctly understood that if the President and Senate of the United States should refuse to ratify this and the last preceding article, or either of them, or any part thereof, that such refusal shall in no way affect the relinquishment and cession made by the tribes parties hereto in the first article of this convention."

The resolution was considered by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, yeas 29.

Those who voted are,

Messrs. Bayard, Black, Cuthbert, Dana, Fulton, Grundy, Hubbard, Kent, King of Alabama, King of Georgia, Linn, McKean, Moore, Mouton, Nicholas, Niles, Norvell, Parker, Robbins, Robinson, Sevier, Swift, Tallmadge, Tipton, Walker, Wall, Webster, White, Wright.

*Ordered*, That the Secretary lay the said resolution before the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the treaty with the Menomonie Indians, with the amendments reported thereto by the Committee on Indian Affairs:

First. To strike out, after the word "country," in line 4 of the second article, the following words: "The sum of twenty-three thousand seven hundred and fifty."

And to strike out the fourth paragraph of the second article, in the following words:

"The sum of one thousand dollars per annum having been included by the commissioner in his proposition for the purchase of the above land (which sum was to be applied to the education of the Indian youth), and the said Indians having declared that they were not desirous of applying that sum to the aforesaid purpose, and that they wished to give that amount to their friend and relation Robert Grignon, for valuable services rendered by him to their nation, therefore the United States do agree to pay to the said Robert Grignon the sum of one thousand dollars each year during the said term of twenty years."

Second. To insert, after the word "cents," at the end of the third paragraph of the second article, the following words:

*Provided always, that no part or portion of said debts shall be paid until the validity and justice of each of them shall have been inquired into by the Superintendent of Indian Affairs, who shall in no instance increase the amount specified in said schedule, but who shall allow the sum specified, reject it entirely, or reduce it, as upon examination and proof may appear just; and if any part of said sum is left after paying said debts so ad-*

*judged to be just, then such surplus shall be paid to the said Indians for their own use.*

To insert, at the end of the third article, the following words:

*And in consideration of said release and relinquishment, the United States stipulate and agree that the sum of seventy-six thousand dollars shall be allowed to the said Indians, and this sum shall be invested in some safe stock, and the interest thereof, as it accrues, shall also be so vested, until such time as in the judgment of the President the income of the aggregate sum can be usefully applied to the execution of the provisions in the said fourth article, or to some other purposes beneficial to the said Indians: Provided always, That no person shall be entitled to any part of said fund unless he is of Indian descent and actually resident within the boundaries described in the first article of this treaty, nor shall anything be allowed to any such person who may have received any such allowance under any previous treaty. The portions of this fund allowed by the commissioner to those half-breeds who are orphans, or poor, or incompetent to make a proper use thereof shall be paid to them in installments or otherwise, as the President may direct.*

The question was stated, Shall the words proposed by the Committee on Indian Affairs to be stricken out stand part of the treaty?

And it was determined in the negative, nays 28.

Those who voted are,

Messrs. Bayard, Black, Cuthbert, Ewing of Illinois, Fulton, Grundy, Hendricks, Kent, King of Alabama, Linn, Moore, Nicholas, Niles, Norvell, Page, Parker, Robbins, Robinson, Sevier, Spence, Swift, Tallmadge, Tipton, Walker, Wall, Webster, White, Wright.

The question was also stated, Shall the words proposed by the Committee on Indian Affairs to be inserted stand part of the treaty?

And it was decided in the affirmative, yeas 29.

Those who voted are,

Messrs. Bayard, Benton, Black, Dana, Ewing of Illinois, Fulton, Grundy, Kent, King of Alabama, Linn, Moore, Nicholas, Niles, Norvell, Parker, Prentiss, Robbins, Robinson, Sevier, Spence, Swift, Tallmadge, Tipton, Tomlinson, Walker, Wall, Webster, White, Wright.

No further amendment having been made, the said treaty, as amended, was reported to the Senate.

The question was again stated, Shall the words proposed by the Committee on Indian Affairs to be stricken out stand part of the treaty?

And determined in the negative, nays 28.

Those who voted are,

Messrs. Bayard, Buchanan, Ewing of Illinois, Ewing of Ohio, Fulton, Grundy, Hendricks, Kent, King of Alabama, King of Georgia, Linn, Moore, Nicholas, Niles, Norvell, Parker, Robbins, Sevier, Southard, Spence, Swift, Tallmadge, Tipton, Walker, Wall, Webster, White, Wright.

And the question was again stated, Shall the words proposed by the Committee on Indian Affairs to be inserted stand part of the treaty?

And determined in the affirmative, yeas 30.

Those who voted are,

Messrs. Bayard, Buchanan, Cuthbert, Dana, Ewing of Illinois, Ewing of Ohio, Fulton, Grundy, Hendricks, Kent, King of Alabama, King of Georgia, Linn, Moore, Nicholas, Norvell, Parker, Robbins, Robinson, Sevier, Southard, Spence, Swift, Tallmadge, Tipton, Walker, Wall, Webster, White, Wright.

Mr. White then submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring), That the Senate do advise and consent to the ratification of the treaty between the*

United States of America and the Menomonie Nation of Indians, concluded at Cedar Point, on Fox River, near Green Bay, in the Territory of Wisconsin, on the third day of September, eighteen hundred and thirty-six, with the following amendments:

After the word "country," in line 4 of article second, strike out the words "the sum of twenty-three thousand seven hundred and fifty," and insert the following words in lieu thereof: *Or at such other place as may be designated by the President of the United States, twenty thousand dollars.*

After the word "cents," at the end of the third paragraph of the second article, insert the following words:

*Provided always, That no part or portion of said debts shall be paid until the validity and justice of each of them shall have been inquired into by the Superintendent of Indian Affairs, who shall in no instance increase the amount specified in said schedule, but who shall allow the sum specified, reject it entirely, or reduce it, as upon examination and proof may appear just; and if any part of said sum is left after paying said debts so adjudged to be just, then such surplus shall be paid to the said Indians for their own use.*

Strike out the fourth paragraph of the second article, in the following words:

"The sum of one thousand dollars per annum having been included by the commissioner in his proposition for the purchase of the above land (which sum was to be applied to the education of the Indian youth), and the said Indians having declared that they were not desirous of applying that sum to the aforesaid purpose, and that they wished to give that amount to their friend Robert Grignon, for valuable services rendered by him to their nation, therefore the United States do agree to pay to the said Robert Grignon the sum of one thousand dollars each year during the said term of twenty years."

At the end of the third article insert the following words:

*And in consideration of said release and relinquishment, the United States stipulate and agree that the sum of seventy-six thousand dollars shall be allowed to the said Indians, and this sum shall be invested in some safe stock, and the interest thereof, as it accrues, shall also be so vested, until such time as in the judgment of the President the income of the aggregate sum can be usefully applied to the execution of the provisions in the said fourth article, or to some other purposes beneficial to the said Indians: Provided always, That no person shall be entitled to any part of said fund unless he is of Indian descent and actually resident within the boundaries described in the first article of this treaty, nor shall anything be allowed to any such person who may have received any allowance under any previous treaty. The portions of this fund allowed by the commissioner to those half-breeds who are orphans, or poor, or incompetent to make a proper use thereof shall be paid to them in installments or otherwise as the President may direct.*

The resolution was considered, by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, yeas 34.

Those who voted are,

Messrs. Bayard, Black, Buchanan, Cuthbert, Dana, Ewing of Illinois, Ewing of Ohio, Fulton, Grundy, Hendricks, Hubbard, Kent, King of Alabama, King of Georgia, Linn, Nicholas, Niles, Norvell, Page, Parker, Prentiss, Robbins, Robinson, Sevier, Southard, Spence, Swift, Tallmadge, Tipton, Walker, Wall, Webster, White, Wright.

*Ordered, That the Secretary lay this resolution before the President of the United States.*

On motion by Mr. White,

*Ordered*, That the documents transmitted to the Senate with the two last-mentioned treaties be returned with the said treaties, for the use of the Department of War.

Mr. Davis, from the Committee on Commerce, to whom were referred the messages of the 6th of January last nominating consuls, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of George A. Porter and William H. Tracy, agreeably to their nominations respectively.

Mr. Davis, from the same committee, to whom was referred the message of the 25th of January nominating officers of the customs, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of George Hudson and Abraham Wendall, agreeably to their respective nominations.

THURSDAY, FEBRUARY 16, 1837.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

I nominate to the Senate Edward H. Thomson, of New York, to be Consul of the United States for Basle, in Switzerland.

ANDREW JACKSON.

WASHINGTON, February 10th, 1837.

*Gentlemen of the Senate:*

I nominate the following persons to be deputy postmasters at the places set opposite their names respectively: William Woart, jr., at Augusta, Maine; Jabez A. Douglass, at Hanover, New Hampshire; Joshua Stow, at Middletown, Connecticut; Adrian Hegernan, at Brooklyn, New York; Solomon Westcott, at Hudson, New York; Samuel Ritter, at Reading, Pennsylvania; J. G. Searcy, at Tallahassee Florida Territory; David Cathcart, at Dayton, Ohio; and Richard J. Crabb, at Annapolis, Maryland.

These officers have been brought within the provision of law which requires postmasters in certain cases to be nominated to the Senate, by the increase of commissions to a sum exceeding \$1,000 within the year ending 30th June, 1836.

I also nominate William H. Roane to be deputy postmaster at Richmond, Virginia, in the place of James B. Preston, resigned.

ANDREW JACKSON.

The messages were severally read.

*Ordered*, That the message nominating Edward H. Thomson as consul be referred to the Committee on Commerce.

*Ordered*, That the message nominating deputy postmasters be referred to the Committee on Post-Offices and Post-Roads.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

*To the Senate of the United States:*

I transmit, for your consideration and action, a treaty with certain Potawatamie Indians, accompanied by a report from the War Department.

ANDREW JACKSON.

WASHINGTON, February, 1837.

*To the Senate of the United States:*

I transmit herewith, for your consideration and action, a treaty lately made with the Sioux of the Mississippi, accompanied by a report from the War Department.

ANDREW JACKSON.

WASHINGTON, 15th February, 1837.

The messages and treaties were severally read.

The treaty with the chiefs of the Potawatamie tribe of Indians was read the second time, by unanimous consent, and considered as in Committee of the Whole; and no amendment having been made thereto, it was reported to the Senate.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring),* That the Senate do advise and consent to the ratification of the treaty between the United States of America and Che-chaw-rose, Ash-kum, Weesaw or Louison, Muck-kose, and Qui-qui-to, chiefs of the Potawatamie tribe of Indians, concluded at the city of Washington on the 11th day of February, 1837.

The resolution was considered, by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 28  
Nays .. 1

Those who voted in the affirmative are,

Messrs. Benton, Black, Brown, Buchanan, Crittenden, Cuthbert, Ewing of Illinois, Fulton, Hubbard, Kent, King of Alabama, King of Georgia, Linn, Nicholas, Niles, Parker, Preston, Rives, Robinson, Sevier, Strange, Tallmadge, Tipton, Tomlinson, Walker, Wall, White, Wright.

And Mr. Southard voted in the negative.

*Ordered,* That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the treaty with Pepin-a-waw and others, and their bands of Potawatamie Indians; and no amendment having been made thereto, it was reported to the Senate.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring),* That the Senate do advise and consent to the ratification of the treaty between the United States of America and Pepin-a-waw, Notaw-kah, and Mac-kah-tah-mo-ah, chiefs and head men of the Potawatamie tribe of Indians, and their bands, concluded at a camp near Yellow River, in Indiana, on the 5th day of August, 1836.

The resolution was considered by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 28  
Nays .. 1

Those who voted in the affirmative are,

Messrs. Benton, Black, Brown, Buchanan, Crittenden, Cuthbert, Ewing of Illinois, Fulton, Hubbard, Kent, King of Alabama, King of Georgia, Linu, Nicholas, Niles, Parker, Preston, Rives, Robinson, Sevier, Strange, Tallmadge, Tipton, Tomlinson, Walker, Wall, White, Wright.

And Mr. Southard voted in the negative.

*Ordered,* That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the

treaty with To-i-sa's brother and their bands of Potawatamie Indians; and,

On motion by Mr. Tipton,

To amend the same by striking out "a commissioner," in the fourth article, and inserting *three commissioners* in lieu thereof,

The question was stated, Shall the words "a commissioner" stand part of the article?

And

It was determined in the affirmative, { Yeas..... 23  
Nays ..... 4

Those who voted in the affirmative are,

Messrs. Benton, Black, Brown, Buchanan, Crittenden, Fulton, Hubbard, Kent, King of Alabama, King of Georgia, Linn, Nicholas, Niles, Parker, Preston, Rives, Robinson, Sevier, Southard, Strange, Tomlinson, Walker, White.

Those who voted in the negative are,

Messrs. Ewing of Illinois, Tipton, Wall, Wright.

No further proposition being made to amend the said treaty, it was reported to the Senate.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring),* That the Senate do advise and consent to the ratification of the treaty between the United States of America and To-i-sa's brother, Me-mot-way, and Che qua-ka-ko, chiefs and head men of the Potawatamie tribe of Indians and their bands, concluded at Chippewanaung, in Indiana, on the 20th day of September, 1836.

The resolution was considered by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 28  
Nays ..... 1

Those who voted in the affirmative are,

Messrs. Benton, Black, Brown, Buchanan, Crittenden, Cuthbert, Ewing of Illinois, Fulton, Hubbard, Kent, King of Alabama, King of Georgia, Linn, Nicholas, Niles, Parker, Preston, Rives, Robinson, Sevier, Strange, Tallmadge, Tipton, Tomlinson, Walker, Wall, White, Wright.

And Mr. Southard voted in the negative.

*Ordered,* That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the treaty with Mosack and his band of Potawatamie Indians; and no amendment having been made thereto, it was reported to the Senate.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring),* That the Senate do advise and consent to the ratification of the treaty between the United States of America and Mosack, chief of the Potawatamie tribe of Indians and his band, concluded at Chippewanaung, in the State of Indiana, on the 22nd day of September, in the year 1836.

The resolution was considered, by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 28  
Nays ..... 1

Those who voted in the affirmative are,

Messrs. Benton, Black, Brown, Buchanan, Crittenden, Cuthbert, Ewing of Illinois, Fulton, Hubbard, Kent, King of Alabama, King of

Georgia, Linn, Nicholas, Niles, Parker, Preston, Rives, Robinson, Sevier, Strange, Tallmadge, Tipton, Tomlinson, Walker, Wall, White, Wright.

And Mr. Southard voted in the negative.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the treaty with the Potawatamie Indians of the Wabash; and no amendment having been made thereto, it was reported to the Senate.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring)*, That the Senate do advise and consent to the ratification of the treaty between the United States of America and the chiefs, warriors, and head men of the Potawatamie Indians of the Wabash, concluded at Chippewaynaung on the 23d day of September, 1836.

The resolution was considered, by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, { Yeas ..... 28  
{ Nays ..... 1

Those who voted in the affirmative are,

Messrs. Benton, Black, Brown, Buchanan, Crittenden, Cuthbert, Ewing of Illinois, Fulton, Hubbard, Kent, King of Alabama, King of Georgia, Linn, Nicholas, Niles, Parker, Preston, Rives, Robbins, Sevier, Strange, Tallmadge, Tipton, Tomlinson, Walker, Wall, White, Wright.

And Mr. Southard voted in the negative.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

The treaty with the Sioux Indians was read the second time, by unanimous consent, and considered as in Committee of the Whole; and no amendment having been made thereto, it was reported to the Senate.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring)*, That the Senate do advise and consent to the ratification of the treaty between the United States of America and the chiefs, braves, and principal men of the Wah-paa koo-tah, Susseton, and Upper Me-da-wa-kan-ton tribes of Sioux Indians, concluded at Saint Peters on the 30th day of November, 1836.

The resolution was considered, by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, yeas 28.

Those who voted are,

Messrs. Benton, Black, Brown, Buchanan, Crittenden, Cuthbert, Ewing of Illinois, Fulton, Hubbard, Kent, King of Alabama, King of Georgia, Linn, Nicholas, Niles, Parker, Preston, Rives, Robinson, Sevier, Strange, Tallmadge, Tipton, Tomlinson, Walker, Wall, White, Wright.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

Mr. Wall, from the Committee on the Judiciary, to whom was referred the nomination of William B. Slaughter, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of William B. Slaughter, agreeably to the nomination.

MONDAY, FEBRUARY 20, 1837.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

I nominate to the Senate Nathaniel Garrow, of New York, to be marshal for the northern district of New York, in the place of John W. Livingston, resigned.

ANDREW JACKSON.

WASHINGTON, *February 17th, 1837.*

*To the Senate of the United States:*

I nominate John R. Coxe, jr., to be a lieutenant in the Navy from this date.

ANDREW JACKSON.

WASHINGTON, *February 20th, 1837.*

*To the Senate of the United States:*

I nominate Julius De Mun to be register of the land office for the district of lands subject to sale at St. Louis, in the State of Missouri, vice William Christy, resigned.

ANDREW JACKSON.

WASHINGTON, *Feb'y 20th, 1837.*

The messages were severally read.

*Ordered,* That the message nominating Nathaniel Garrow be referred to the Committee on the Judiciary.

*Ordered,* That the message nominating John R. Coxe, jr., be referred to the Committee on Naval Affairs.

*Ordered,* That the message nominating Julius De Mun be referred to the Committee on the Public Lands.

On motion by Mr. White,

*Ordered,* That on the return of the treaty with the Monomonicie Nation of Indians, which was ratified by the Senate on the 10th instant, the Secretary be authorized to correct the resolution of ratification so that the proviso which was attached to the 3rd article may be placed at the end of the 2nd article, where it more appropriately belongs.

Mr. Walker, from the Committee on the Public Lands, to whom was referred the message of 25th of January last nominating land officers, reported.

Whereupon

*Resolved,* That the Senate do advise and consent to the appointment of Thomas Scott and Daniel B. Miller, agreeably to their nominations respectively.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the message of the 25th of January last nominating certain persons for promotion and appointment in the Army, reported.

Whereupon

*Resolved,* That the Senate do advise and consent to the promotions and appointments in the Army, contained in the said message of the 25th January, agreeably to the nominations respectively.

Mr. Benton, from the same committee, to whom was referred the message of the 25th of January last nominating Callender Irvine, reported.

Whereupon

*Resolved,* That the Senate do advise and consent to the appointment of Callender Irvine, agreeably to the nomination.

Mr. Robinson, from the Committee on the Post-Office and Post-Roads, to whom was referred the message of the 6th of January last nominating certain persons as deputy postmasters, all of whose appointments have been reported and confirmed, except that of Daniel B. Turner, reported the same.

Whereupon

The Senate proceeded to consider the nomination of the said Daniel B. Turner; and,

On motion by Mr. Moore,

*Ordered*, That it lie on the table.

Mr. Robinson, from the same committee, to whom was referred the message of the 16th instant nominating certain persons as deputy postmasters, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of the said persons as deputy postmasters, agreeably to their nominations respectively.

SATURDAY, FEBRUARY 25, 1837.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

*To the Senate of the United States:*

I nominate the following officers of the customs for appointment, to take effect at the dates respectively annexed to their names, viz:

Denny McCobb to be collector of the customs for the district and inspector of the revenue for the port of Waldoboro', in the State of Maine, from 3d of March, 1837, when his present commission will expire.

Henry Crocker to be collector of the customs for the district and inspector of the revenue for the port of Barnstable, in the State of Massachusetts, 3d March, 1837, vice Isaiah L. Green, whose commission expires.

Nathaniel Holland to be collector of the customs for the district and inspector of the revenue for the port of Cherrystone, in the State of Virginia, from 3d of March, 1837, when his present commission will expire.

John P. Barton to be surveyor of the district and inspector of the revenue for the port of Providence, in the State of Rhode Island, from the 3d of March, 1837, when his present commission will expire.

Robert Butler to be surveyor and inspector of the revenue for the port of Smithfield, in the State of Virginia, from the 3d of March, 1837, when his present commission will expire.

ANDREW JACKSON.

WASHINGTON, Feb'y 22nd, 1837.

*To the Senate of the United States:*

I nominate for appointment the following land officers, to take effect at the dates respectively annexed to their names, viz:

Charles B. Flood to be register of the land office for the district of lands subject to sale at Marietta, in the State of Ohio, vice Joseph Wood, whose commission expires March 3d, 1837.

Peyton S. Symmes to be register of the land office for the district of lands subject to sale at Cincinnati, in the State of Ohio, from 3d of March, 1837, when his present commission will expire.

Thomas L. Sumrall to be register of the land office for the district of lands subject to sale at Mt Salus, in the State of Mississippi, from the 2nd of March, 1837, when his present commission will expire.

William Dowsing to be register of the land office for the district of lands subject to sale at Columbus, in the State of Mississippi, from the 2nd of March, 1837, when his present commission will expire.

William Van Norman to be register of the land office for the district of lands subject to sale at Choctawhatchie, in the State of Mississippi, 2nd March, 1837, vice Samuel Gwinn, declines.

Robert Tennin to be register of the land office for the district of lands subject to sale at Pontotoc, in the State of Mississippi, from the 2nd of March, 1837, when his present commission will expire.

Thomas Simpson to be register of the land office for the district of lands subject to sale at Demopolis, in the State of Alabama, from 2nd of March, 1837, vice Andrew J. Crawford, declines.

David E. Moore to be receiver of public moneys for the district of lands subject to sale at Demopolis, in the State of Alabama, from 2nd of March, 1837, vice Thomas Simpson, nominated for register.

ANDREW JACKSON.

WASHINGTON, Feb'y 22nd, 1837.

The messages were severally read.

*Ordered*, That the message nominating officers of the customs be referred to the Committee on Commerce.

*Ordered*, That the message nominating land officers be referred to the Committee on the Public Lands.

The following message was received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary :

*To the Senate of the United States:*

I transmit herewith a convention between the Choctaws and Chickasaws, which meets my approbation, and for which I ask your favorable consideration and action.

ANDREW JACKSON.

WASHINGTON, February —, 1837.

The message and the convention or agreement therein mentioned were severally read.

Whereupon

Mr. White submitted the following resolution; which was considered, by unanimous consent, and agreed to:

*Resolved*, That the Senate approve of the convention or agreement made and entered into between the Choctaw and Chickasaw Nations or tribes of Indians bearing date the 17th day of January, 1837, at Doaksville, in the Choctaw Nation, and communicated to the Senate by the President of the United States with his message dated February —, 1837.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

Mr. White, from the Committee on Indian Affairs, to whom was referred the treaty with the Sac and Fox Indians, communicated with the message of the 6th of January last, reported the same with amendments.

The treaty was read the second time, considered as in Committee of the Whole, and the amendments reported by the Committee on Indian Affairs were unanimously agreed to; and no further amendment having

been made, the treaty as amended was reported to the Senate, and the amendments were unanimously concurred in.

Mr. White submitted the following resolution:

*Resolved (two-thirds of the Senators present concurring),* That the Senate do advise and consent to the ratification of the treaty between the United States of America and the confederated tribes of Sac and Fox Indians, concluded at the treaty ground on the right bank of the Mississippi River, in the county of Du Buque, and Territory of Wisconsin, opposite Rock Island, on the 28th day of September, 1836, with the following amendments:

After the word "Island," in the third line of the second article, insert the following words: *or such other place as may be designated by the President of the United States.*

After the word "dollars," in the third line of the second article, strike out the residue of the said article in the following words:

"To pay to the following named persons the sums set opposite to their names, respectively, being the one-half of the amount agreed to be due and owing by the confederated tribes of Sacs and Foxes to their creditors, provided said creditors will wait for the other half until the same can be paid out of their annuities, for which purpose the Sacs and Foxes will set apart the sum of five thousand dollars each year, beginning in one thousand eight hundred and thirty-eight, out of their annuities, to be paid upon said debts in the proper proportion until the whole amount is discharged, to wit: To John Campbell, ten thousand dollars; to Jeremiah Smith, six hundred and forty dollars; to Stephen Dubois, three hundred and five dollars and twenty cents; to Nathaniel Knapp, one hundred dollars; to Wharton K. McPherson, two hundred and fifty dollars; to S. S. Phelps & Co., four thousand dollars; to Jesse W. Shull, five hundred dollars; to James Jordan, one hundred and fifty dollars; to John R. Campbell, fifteen dollars; to Amos Farrar, one hundred dollars; to the owners of the steamboat Warrior, one hundred and sixty-two dollars and seventy-five cents; to George Davenport, two thousand five hundred and sixty-three dollars and fifty cents; to Madame St. Ament, five hundred dollars; to Madame Joseph Gunville, five hundred dollars; to Madame Le Claire, one hundred and twenty-five dollars; to Miss Blondeau, one hundred and twenty-five dollars; to Antoine Le Claire, two thousand four hundred and thirty-six dollars and fifty cents; to Francis Labachiere, one thousand one hundred and sixty-seven dollars and seventy-five cents; to Pratte, Chouteau & Co., twenty thousand three hundred and sixty-two dollars and forty-two and a half cents; to Nathaniel Patterson, four hundred and fifty-six dollars."

After the word "dollars," in the third line of the second article, insert the following in lieu of the words stricken out:

*And also to pay the sum of forty-eight thousand four hundred and fifty-eight dollars eighty-seven and a half cents, to enable said Indians to pay such debts as may be ascertained by their superintendent to be justly due from them to individuals, and if said debts so ascertained to be just amount to more than said sum, then the same shall be divided among said creditors pro rata; and if less, then the overplus to be paid to said Indians for their own use. The Ioway Indians having set up a claim to a part of the lands ceded by this treaty, it is therefore hereby provided that the President of the United States shall cause the validity and extent of said claim to be ascertained, and upon a relinquishment of said claim to the United States he shall cause the reasonable and fair value thereof to be paid to said Ioway*

*Indians, and the same amount to be deducted from the sum stipulated to be paid to the Sacs and Foxes.*

The resolution was considered by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 28  
Nays..... 2

Those who voted in the affirmative are,

Messrs. Bayard, Benton, Brown, Ewing of Illinois, Fulton, Hubbard, Kent, King of Alabama, King of Georgia, Linn, Lyon, Moore, Morris, Nicholas, Norvell, Page, Robinson, Sevier, Spence, Strange, Swift, Tallmadge, Tipton, Tomlinson, Walker, Wall, White, Wright.

Those who voted in the negative are,

Messrs. Davis and Southard.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

Mr. White, from the Committee on Indian Affairs, to whom was referred on the 25th of January last a treaty with the Stockbridge and Munsee Indians, and a treaty with the Oneida, Tuscarora, and St. Regis tribes of Indians, reported them severally without amendment.

The said treaties were severally read the second time; and,

On motion by Mr. White,

*Ordered*, That they be severally postponed to the next session of Congress.

Mr. Rives, from the Committee on Naval Affairs, to whom was referred on the 10th instant the messages nominating captains, masters-commandant, lieutenants, surgeons and assistant surgeons in the Navy, a Navy agent, and an officer in the Marine Corps, reported them severally to the Senate.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of William Whelan, Samuel Barrington, Thomas L. Smith, George Blacknall, Horatio N. Glentworth, and Lewis B. Hunter to be surgeons, and Augustus Bowie, Richard W. Leecock, Charles F. B. Guillon, John L. Fox, John S. Messersmith, and John J. Abernethy to be assistant surgeons in the Navy, agreeably to their nominations respectively.

On motion by Mr. Hubbard,

*Ordered*, That the residue of the nominations reported from the Committee on Naval Affairs lie on the table.

Mr. Walker, from the Committee on the Public Lands, to whom was referred the message of the 20th instant nominating Julius De Mun, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Julius De Mun, agreeably to the nomination.

Mr. Davis, from the Committee on Commerce, to whom was referred the messages of the 10th and 16th instant nominating George Slacum and Edward H. Thompson as consuls, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of George Slacum and Edward H. Thompson, agreeably to their nominations respectively.

Mr. Davis, from the same committee, to whom was referred the messages of the 10th instant nominating Ambrose Crane and William Blanchard as officers of the customs, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment

of Ambrose Crane and William Blanchard, agreeably to their nominations respectively.

Mr. Morris, from the Committee on the Judiciary, to whom was referred, on the 20th instant, the message nominating Nathaniel Garrow, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Nathaniel Garrow, agreeably to the nomination.

### THURSDAY, MARCH 2, 1837.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

I nominate to the Senate of the United States David Rogers to be consul at St. Croix, in place of Joseph Ridgeway, deceased.

ANDREW JACKSON.

WASHINGTON, *Feb'y 24th*, 1837.

*To the Senate of the United States:*

I nominate James Wiltbank, of Pennsylvania, to be a chaplain in the Navy from this date.

ANDREW JACKSON.

WASHINGTON, *Feb'y 25th*, 1837.

I nominate to the Senate of the United States Payton Gay to be consul at Campeache, in the place of Samuel Haight.

ANDREW JACKSON.

WASHINGTON, *Feb'y 27th*, 1837.

*To the Senate of the United States:*

I nominate George W. Charles to be collector of the customs for the district at Camden, and inspector of the revenue for the port of Elizabeth City, in the State of North Carolina, vice Stephen Charles, deceased.

ANDREW JACKSON.

WASHINGTON, *27 Feb'y*, 1837.

I nominate to the Senate of the United States Lewis H. Marsteller to be collector at the port of Wilmington, North Carolina, in place of Thomas N. Cameron, who declines.

ANDREW JACKSON.

WASHINGTON, *Feb'y 27th*, 1837.

*To the Senate of the United States:*

I nominate for appointment the following named persons for offices in the branch mints, viz:

William P. Hort to be assayer of the branch mint at New Orleans, in the State of Louisiana.

James B. Rogers to be melter and refiner of the branch mint at New Orleans, in the State of Louisiana.

Rufus Tyler to be coiner of the branch mint at New Orleans, in the State of Louisiana.

J. H. Gibbon to be assayer of the branch mint at Charlotte, in the State of North Carolina.

John R. Bolton to be coiner of the branch mint at Charlotte, in the State of North Carolina.

David Bradford to be superintendent of the branch mint at New Orleans, in the State of Louisiana, in the place of Martin Gordon, who declines.

ANDREW JACKSON.

WASHINGTON, *Feb'y 24th, 1837.*

*To the Senate of the United States:*

I nominate Edward B. Grayson to be receiver of public moneys for the district of lands subject to sale at Choctawhatchee, in the State of Mississippi, from the 2nd of March next, vice R. H. Sterling, declines.

ANDREW JACKSON.

WASHINGTON, *Feb'y 27th, 1837.*

*To the Senate of the United States:*

I nominate Henry A. Steele, now a passed midshipman, to be a lieutenant in the Navy from this date, to supply the vacancy occasioned by the death of John H. Smith.

ANDREW JACKSON.

WASHINGTON, *Feb'y 27th, 1837.*

*To the Senate of the United States:*

I nominate William Maxwell to be collector of the customs for the district and inspector of the revenue for the port of Sunbury, in the State of Georgia, vice Sam'l S. Law, deceased.

ANDREW JACKSON.

WASHINGTON, *Feb'y 28, 1837.*

*To the Senate of the United States:*

I nominate Jesse Jackson to be receiver of public moneys for the district of lands subject to sale at La Porte, in the State of Indiana, from the 2nd day of March, 1837, vice John M. Lemon, whose commission expires.

ANDREW JACKSON.

WASHINGTON, *Feb'y 28, 1837.*

*To the Senate of the United States:*

I nominate Joseph W. Farnum to be assayer of the branch mint at Dahlonega, in the State of Georgia, and David H. Mason to be coiner of the branch mint at Dahlonega, in the State of Georgia.

ANDREW JACKSON.

WASHINGTON, *Feb'y 28th, 1837.*

*To the Senate of the United States:*

I nominate Thomas E. Hooper to be surveyor and inspector of the revenue for the Port of Urbanna, in the State of Virginia, vice Henry Muse, deceased.

ANDREW JACKSON.

WASHINGTON, *March 1st, 1837.*

The messages were severally read.

*Ordered,* That the messages nominating consuls and officers of the customs be severally referred to the Committee on Commerce.

*Ordered*, That the messages nominating officers in the branch mints be severally referred to the Committee on Finance.

*Ordered*, That the messages nominating James Wiltbank and Henry A. Steele be severally referred to the Committee on Naval Affairs.

The Senate proceeded to consider the messages nominating land officers; and no objection being made,

*Resolved, unanimously*, That the Senate do advise and consent to the appointment of Edward B. Grayson and Jesse Jackson, agreeably to their nominations respectively.

Mr. White, from the Committee on Indian Affairs, to whom was referred, on the 10th of February last, a treaty with the Saganaw tribe of Chippewa Indians, reported the same without amendment.

The said treaty was read the second time.

On motion by Mr. White,

*Ordered*, That it be postponed to the next session of Congress.

Mr. Sevier, from the Committee on Indian Affairs, to whom was referred the nomination of John Kennedy, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of John Kennedy, agreeably to the nomination.

Mr. Grundy, from the Committee on the Judiciary, to whom was referred, on the 15th of December last, the nomination of James H. Relfe, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of James H. Relfe, agreeably to the nomination.

Mr. Walker, from the Committee on Public Lands, to whom was referred the message of the 25th of February last nominating land officers, reported the said nominations, with the exception of Charles B. Flood.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Peyton S. Symmes, Thomas L. Sumrall, William Dowsing, William Van Norman, Robert Tennin, Thomas Simpson, and David E. Moore, agreeably to their nominations respectively.

Mr. Walker, from the Committee on Public Lands, to whom was referred the nomination of John S. Horner, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of John S. Horner, agreeably to the nomination.

Mr. Davis, from the Committee on Commerce, to whom was referred the message of the 25th of February last nominating officers of the customs, reported, recommending the confirmation of all except Denny McCobb.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Henry Crocker, Nathaniel Holland, John P. Barton, and Robert Butler, agreeably to their nominations respectively.

On motion by Mr. Rives,

The Senate resumed the consideration of the message of the 10th of February last nominating Elias Kane; and

*Resolved*, That the Senate do advise and consent to the appointment of Elias Kane, agreeably to the nomination.

On motion by Mr. Rives,

The Senate resumed the consideration of the message of the 10th of February last nominating officers for promotion in the Navy.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of William N. Hunter, John D. Sloat, Matthew C. Perry, Charles W. Skinner, John T. Newton, Joseph Smith, Lawrence Rousseau, George W. Storer, Beverly Kennon, Edward R. Shubrick, agreeably to their nominations respectively.

On motion by Mr. Hubbard,

*Ordered*, That the residue of the nominations contained in the said message of the 10th February be postponed until to-morrow.

The following messages were received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary :

*To the Senate of the United States :*

I nominate the persons named in the accompanying list for brevet promotion respectively annexed to their names, as proposed by the Secretary of War *ad interim*.

ANDREW JACKSON.

WASHINGTON, 24th February, 1837.

WAR DEPARTMENT, *February 24th, 1837.*

SIR: I have the honor respectfully to submit herewith a list of officers for brevet promotion in the Army of the United States.

I have the honor to be, sir, with great respect, your ob't serv't,  
B. F. BUTLER.

To the PRESIDENT OF THE UNITED STATES.

ADJ'T GEN'L'S OFFICE,  
*Washington, 24th Feby, 1837.*

The Hon'ble B. F. BUTLER,

*Secretary of War ad interim :*

SIR: In compliance with your instructions, I herewith respectfully submit a list containing the names of the eight officers of the Army on whom the President, on the 12th of October, 1836, was pleased to confer rank by brevet, in consideration of their gallantry and good conduct in the course of the campaigns in Florida.

When the brevets in these cases were announced in general orders, the 15th of October, as well, as in the prior case of the late Brevet Lieut. Colonel Heillman, the repealing clauses and the proviso found in the 9th and 10th secs. of the act of June 30th, 1834, "for the better organization of the United States Marine Corps," relative to the subject of brevets, were supposed to reinvest the President with authority to confer brevets, except in cases of "ten years' service in one grade," without resort to the Senate for its advice and consent. This, however, appears not to be the case, and, according to your view of the subject and opinion thereon this day expressed, there can be no doubt that, in conformity with the provisions of the 2nd sec. of the act of 1818, the officers brevetted in October now require the sanction of the Senate. The accompanying list is therefore respectfully submitted, in obedience to your instructions.

I am, sir, with great respect, your ob't serv't,

R. JONES,  
*Adj't General.*

ADJUTANT-GENERAL'S OFFICE,  
*Washington, February 24th, 1837.*

## BREVET PROMOTION IN THE ARMY OF THE UNITED STATES.

Major Benjamin K. Pierce, of the First Regiment of Artillery, to be lieutenant-colonel by brevet, for distinguished services in the affair of Fort Drane, Florida, to take rank from the 21st August, 1836.

Captain Thomas Childs, of the Third Regiment of Artillery, to be major by brevet, for planning the attack on the Indians at Fort Drane, Florida, and good conduct in that affair, to take rank from the 21st August, 1836.

Captain William M. Graham, of the Fourth Regiment of Infantry, to be major by brevet, for gallantry and good conduct in the affair of the Withlacoochee, Florida, to take rank from 31st December, 1835.

Captain Richard B. Lee, of the Third Regiment of Artillery, to be major by brevet, for gallantry and good conduct in the affair of Micanopy, Florida, to take rank from 9th June, 1836.

Captain James A. Ashby, of the Second Regiment of Dragoons, to be major by brevet, for gallantry and good conduct in the affair of Welika, Florida, to take rank from 19th July, 1836.

First Lieutenant Campbell Graham, of the Third Regiment of Artillery, to be captain by brevet, for gallantry and good conduct in the affair on the Withlacoochee, Florida, to take rank from the 31st December, 1835.

First Lieutenant William S. Maitland, of the Third Regiment of Artillery, to be captain by brevet, for gallantry and good conduct in the affairs of the Withlacoochee and Welika, Florida, to take rank from the 31st December, 1835.

Second Lieutenant Alfred Herbert, of the First Regiment of Artillery, to be first lieutenant by brevet, for gallantry and good conduct on several occasions in Florida, to take rank from the 27th July, 1836.

ROGER JONES,  
*Adj't Gen'l.*

*To the Senate of the United States :*

I nominate the officers of the Army and Marine Corps named in the accompanying list for brevet promotion respectively annexed to their names, as proposed by the Secretary of War *ad interim.*

ANDREW JACKSON.

WASHINGTON, 2nd March, 1837.

WAR DEPARTMENT, *March 2nd, 1837.*

SIR: I have the honor respectfully to present the annexed list of 18 officers of the Army and two officers of the Marine Corps for promotion by brevet, as recommended by Major-General Macomb in his report of the 28th February, herewith submitted.

I have the honor to be, sir, with great respect, your o'b't serv't,  
 B. F. BUTLER.

*To the PRESIDENT OF THE UNITED STATES.*

HEADQUARTERS OF THE ARMY,  
*Washington, February 28th, 1837.*

SIR: In addition to the officers named to you in my letter of the 12th October, 1836, I have to report the undermentioned as having highly distinguished themselves in the several affairs in which they were en-

gaged with the enemy in the course of the war with the Creek and Seminole Indians, and for uniformly meritorious services and good conduct during these campaigns. These officers are deemed to be entitled to the special consideration of the President for their gallantry and good conduct, and are respectfully recommended as deserving of being brevetted according to the provisions of the 4th section of the act of the 6th July, 1812.

Colonel Archibald Henderson, of the Marine Corps, to be brigadier-general by brevet, for distinguished services in the Creek and Seminole campaigns.

Brevet Lieutenant-Colonel A. C. W. Fanning, of the 4th Regiment of Artillery, to be colonel by brevet, for gallantry and good conduct in several affairs during the Seminole war.

Brevet Lieutenant-Colonel Henry Stanton, quartermaster U. S. Army, to be colonel by brevet, for distinguished and meritorious services during the Creek and Seminole campaigns.

Captain John Harris, of the Marine Corps, to be major by brevet, for gallantry and good conduct in the Seminole war.

Captain G. S. Drane, of the 2nd Regiment of Artillery, to be major by brevet, for gallantry and good conduct in the affair of the Withlacoochee, to date from 31st Dec'r, 1835.

Captain J. Dimick, 1st Regiment of Artillery, to be major by brevet, for distinguished gallantry in the face of the enemy, to date from the 8th May, 1836.

Captain Charles Mellon, 2nd Regiment of Artillery, to be major by brevet, for gallantry and good conduct in the affair of the Withlacoochee and uniform gallantry during the Florida campaigns, to date from 31st December, 1835.

Captain D. D. Tompkins, 1st Regiment of Artillery, to be major by brevet, for gallantry and good conduct during the Seminole war.

First Lieutenant W. W. Morris, 4th Regiment of Artillery, to be captain by brevet, for gallantry and good conduct in the Seminole war.

First Lieutenant John Pickell, 4th Regiment, to be captain by brevet, for gallantry and good conduct in the affair at Fort Drane, to date from 21st August, 1836.

First Lieutenant Frederick Searle, 4th Regiment of Artillery, to be captain by brevet, for gallantry and good conduct in the Seminole war.

First Lieutenant J. A. Chambers, 2nd Regiment of Artillery, to be captain by brevet, for gallantry and good conduct in the Creek and Seminole campaigns.

First Lieutenant J. R. Irwin, 1st Regiment of Artillery, to be captain by brevet, for gallantry and good conduct in the affair at Fort Drane, to date from 21st August, 1836.

First Lieutenant John B. Grayson, 2nd Regiment of Artillery, to be captain by brevet, for meritorious services during the Seminole war.

First Lieutenant John F. Lee, 1st Regiment of Artillery, to be captain by brevet, for gallantry and good conduct in the Seminole war.

Second Lieutenant G. H. Talcot, 3d Regiment of Artillery, to be first lieutenant by brevet, for gallantry and good conduct in the affair of the Withlacoochee, to date from 31st December, 1835.

Second Lieutenant E. A. Capron, 1st Regiment of Artillery, to be first lieutenant by brevet, for gallantry and good conduct in the affair of the Withlacoochee, to date from 31st December, 1835.

Second Lieutenant T. P. Ridgely, 2 Regiment of Artillery, to be first lieutenant by brevet, for gallantry and good conduct in the affair of the Withlacoochee, to date from 31st December, 1835.

Second Lieutenant John Graham, 4 Regiment of Infantry, to be first lieutenant by brevet, for gallantry and good conduct in the affair of the Withlacoochee, to date from 31st December, 1835.

Second Lieutenant Horace Brooks, 2nd Regiment of Artillery, to be first lieutenant by brevet, for gallantry and good conduct in the affair of the Withlacoochee, to date from December 31st, 1835.

Respectfully submitted.

A. MACOMB,  
*Maj. Gen'l.*

To the Hon'ble B. F. BUTLER,  
*Sec. of War ad interim.*

HEADQUARTERS OF THE ARMY,  
*Washington, 2nd March, 1837.*

SIR: I beg leave to add to the names of the officers reported to you in my letter of the 28th February as having distinguished themselves in the Creek and Seminole wars that of 2nd Lieutenant Wm. H. Betts. The evidences of distinguished and meritorious services in the case of this officer were not before me when that letter was prepared. The following is now respectfully submitted:

Second Lieutenant Wm. H. Betts, of the 1st Regiment of Artillery, to be first lieutenant by brevet, for distinguished and meritorious services in the Creek and Seminole wars.

I have the honor to be, very respectfully, your ob't serv't,

A. MACOMB,  
*Maj. Gen'l.*

To the SECRETARY OF WAR *ad interim.*

To the Senate of the United States:

I nominate Edmund L. Dubarry, of Pennsylvania, to be a surgeon in the Navy, to take rank next after William F. Patton, he, the said Dubarry, having already served three years five months and twelve days as surgeon in the Navy; but this reappointment is not to give him any advantage as to pay or rank for the time he has been out of the service.

ANDREW JACKSON.

WASHINGTON CITY, *March 1st, 1837.*

Gentlemen of the Senate:

I nominate the following persons to be deputy postmasters at the places set opposite their names, viz: A. C. Burgess, at Columbus, Mississippi; Sidney Abell, at Chicago, Illinois.

These appointments have become necessary in consequence of the increase of the postmaster's commissions so as to exceed one thousand dollars for the year ending 30th June last.

ANDREW JACKSON.

MARCH 2ND, 1837.

The messages were severally read.

Ordered, That the messages nominating officers of the Army and Marine Corps for brevet promotion be referred to the Committee on Military Affairs.

Ordered, That the message nominating Edmund L. Dubarry be referred to the Committee on Naval Affairs.

Ordered, That the message nominating A. C. Burgess and Sidney Abell be referred to the Committee on the Post-Office and Post-Roads.

Mr. Wright, from the Committee on Finance, to whom was referred the message nominating officers in branch mints, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of William P. Hort, James B. Rogers, Rufus Tyler, J. H. Gibbon, John R. Bolton, David Bradford, Joseph W. Farnum, and David H. Mason, agreeably to their nominations respectively.

Mr. Rives, from the Committee on Naval Affairs, to whom was referred the message of 20th February last, nominating John R. Coxe, jr., reported.

On motion by Mr. Rives,

*Ordered*, That said nomination be postponed until to-morrow.

SATURDAY, MARCH 3D, 1837.

On motion by Mr. Rives,

The Senate resumed the consideration of the message of the 10th of February last nominating officers for promotion in the Navy; and,

On motion by Mr. Rives,

*Resolved*, That the Senate do advise and consent to the appointments of John Gwinn, Thomas W. Wyman, Andrew Fitzhugh, Abraham S. Ten Eick, John White, Hiram Paulding, Jonathan D. Williamson, Uriah P. Levy, Charles Boarman, French Forrest, William E. McKenney, William J. Belt, William Jamesson, William Boerum, Charles L. Williamson, Charles Gaunt, William Ramsay, Ralph Voorhees, and Henry Henry, to be masters commandant in the Navy from the 9th of February, 1837; and of William Radford, Samuel F. Hazard, John M. Berrien, George A. Prentiss, John C. Sharpe, John C. Carter, George Hurst, Alfred Taylor, Samuel Phillips Lee, John P. Gillis, Joseph W. Jarvis, Simon B. Bissell, Samuel Swartwout, John I. Glasson, Samuel T. Gillet, Raphael Semms, jr., James F. Miller, James P. McKinstry, William A. Wurts, to be lieutenants in the Navy from the 9th of February, 1837, agreeably to their nominations respectively.

On motion by Mr. Hubbard,

*Resolved*, That in agreeing to the confirmation of the foregoing appointments of masters commandant, agreeably to the nomination of the President of the United States, the Senate do not intend to prejudice any claim to rank which Lieutenant John C. Long, of New Hampshire, supposes is now withheld from him, but that such claim shall be open for any future examination.

On motion by Mr. Rives,

The Senate resumed the consideration of the message nominating John R. Coxe, jr.; and,

On motion by Mr. Wall,

*Resolved*, That the Senate do advise and consent to the appointment of John R. Coxe, jr. to be lieutenant in the Navy, to take rank next after Lieutenant Elisha Peck.

On motion by Mr. Rives,

The Senate resumed the consideration of the message nominating Thomas A. Brady; and,

On motion by Mr. Rives,

*Resolved*, That the Senate advise and consent to the appointment of Thomas A. Brady, agreeably to the nomination.

Mr. Kent, from the Committee on the District of Columbia, to whom was referred the message of the 10th of February last nominating Charles McKnight, reported.

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of Charles McKnight, agreeably to the nomination.

Mr. Rives, from the Committee on Naval Affairs, to whom was referred the message of the 2d instant nominating James Wiltbank, reported.

Whereupon

*Resolved*, That the Senate advise and consent to the appointment of James Wiltbank, agreeably to the nomination.

Mr. Davis, from the Committee on Commerce, to whom were referred the messages of the 2d instant nominating consuls, reported.

Whereupon

*Resolved*, That the Senate advise and consent to the appointment of David Rogers and Payton Gay, agreeably to their nominations respectively.

\*

Mr. Davis, from the same committee, to whom were referred the messages of the 2nd instant nominating officers of the customs, reported.

Whereupon

*Resolved*, That the Senate advise and consent to the appointment of George W. Charles, Lewis H. Marsteller, William Maxwell, and Thomas E. Hooper, agreeably to their nominations respectively.

Mr. Robinson, from the Committee on the Post-Office and Post-Roads, to whom was referred the message of the 2d instant nominating deputy postmasters, reported

Whereupon

*Resolved*, That the Senate do advise and consent to the appointment of A. C. Burgess and Sidney Abell, agreeably to their nominations respectively.

Mr. Walker submitted the following resolution:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, authorized to invest, in behalf of the Chickasaw Indians, the money that may hereafter arise from the sales of lands under the treaty concluded at Pontitoc, October 20th, 1832, and at Washington City, May 24th, 1834, to an amount not exceeding one million and a half of dollars, in the stock of the Alabama and Mississippi Railroad Company, incorporated February 9th, 1836, on the following terms and conditions:

First. That an aggregate of two millions and a half of the stock of said company shall have been first subscribed by individuals, companies, States, or corporations.

Second. That the Secretary of the Treasury shall first be satisfied that said stock would probably yield an annual dividend of at least five per cent. per annum.

Third. That a law be first passed by the legislature of the State of Mississippi, guaranteeing an annual profit from said stock of at least five per cent., and the redemption of the principal.

Fourth. That the President of the United States advise and consent to this investment.

The Senate proceeded to consider the resolution.

On motion by Mr. Sevier, that it lie on the table,

It was determined in the affirmative, { Yeas. .... .... .... .... 38  
Nays. .... .... .... .... 3

On motion by Mr. Walker,

The yeas and nays being desired by one-fifth of the Senators present—  
Those who voted in the affirmative are

Messrs. Buchanan, Calhoun, Clay, Clayton, Crittenden, Cuthbert, Ewing of Ohio, Fulton, Grundy, Hendricks, Hubbard, Kent, King

of Alabama, King of Georgia, Knight, Linn, Lyon, Morris, Nicholas, Niles, Page, Parker, Prentiss, Preston, Robbins, Robinson, Ruggles, Sevier, Southard, Spence, Strange, Swift, Tallmadge, Tipton, Tomlinson, Webster, White, Wright.

Those who voted in the negative are,  
Messrs. Ewing of Illinois, Walker, Wall.

On motion by Mr. Walker,

*Resolved*, That the injunction of secrecy be removed from the foregoing resolution and the proceedings thereon:

Mr. Benton, from the Committee on Military Affairs, to whom were referred the messages of the 2nd instant nominating officers of the Army and Marine Corps for brevet promotions, reported.

The Senate proceeded to consider the message nominating Benjamin K. Pierce and others.

On motion by Mr. Crittenden that it lie on the table,

It was determined in the negative, { Yeas..... 18  
Nays ..... 23

On motion by Mr. Benton,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Bayard, Calhoun, Clay, Clayton, Crittenden, Ewing of Ohio, Hendricks, Kent, Knight, McKean, Moore, Prentiss, Robbins, Southard, Spence, Swift, Tipton, Webster.

Those who voted in the negative are,

Messrs. Benton, Cuthbert, Ewing of Illinois, Fulton, Grundy, Hubbard, King of Alabama, King of Georgia, Mouton, Nicholas, Niles, Page, Parker, Preston, Rives, Robinson, Sevier, Strange, Tallmadge, Walker, Wall, White, Wright.

On motion by Mr. Southard,

*Ordered*, That the said message and that nominating Archibald Henderson and others be severally postponed to Monday, the 6th instant.

Mr. Rives, from the Committee on Naval Affairs, to whom was referred the message of the 2d instant nominating Henry A. Steele, reported.

Whereupon

*Resolved*, That the Senate advise and consent to the appointment of Henry A. Steele, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Daniel B. Turner, contained in the message of the 6th of January last; and,

On motion by Mr. Moore,

*Ordered*, That it be postponed to Monday, the 6th instant.

The following message was received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

*To the Senate of the United States:*

In the month of October last, the office of Secretary of War being vacant, I appointed Benjamin F. Butler, of the State of New York, to perform the duties thereof during the pleasure of the President, but with the expectation that the office would be otherwise filled, on the nomination of my successor, immediately on the commencement of his term of service. This expectation I have reason to believe will be fulfilled; but, as it is necessary in the present state of the public service that the vacancy should actually occur, and as it is doubtful whether Mr. Butler can act under his present appointment after the expiration of the present session of the Senate, I hereby nominate the said Benja-

min F. Butler to be Secretary of War of the United States, to hold the said office during the pleasure of the President until a successor, duly appointed, shall accept such office and enter on the duties thereof.

ANDREW JACKSON.

WASHINGTON, *March 3d, 1837.*

The message was read, and considered by unanimous consent.

Whereupon

*Resolved unanimously,* That the Senate advise and consent to the appointment of Benjamin F. Butler to be Secretary of War, agreeably to the nomination.

The following message was received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary :

*To the Senate of the United States :*

I nominate the persons named in the accompanying list of promotions and appointments respectively annexed to their names, as proposed by the Secretary of War *ad interim.*

ANDREW JACKSON.

WASHINGTON, *March 3d, 1837.*

WAR DEPARTMENT, *March 3d, 1837.*

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for promotions and appointments in the Army of the United States.

I have the honor to be, sir, with great respect, your ob't serv't,  
B. F. BUTLER.

To the PRESIDENT OF THE UNITED STATES.

ADJ'T GEN'L'S OFFICE,

*Washington, 3d March, 1837.*

SIR : I respectfully submit herewith a list of regular promotions and appointments to fill the vacancies in the line of the Army which are known to have occurred since the last list, dated 9th of January, and then presented for the action of the Executive. The vacancies of 2nd lieutenants in the artillery regiments remain to be filled by the graduating class in June.

I am, sir, very respectfully, your ob't serv't,

R. JONES,  
*Adj't Gen'l.*

To the Hon'ble B. F. BUTLER,  
*Secretary of War ad interim.*

ADJ'T GEN'L'S OFFICE,

*Washington, 3d March, 1837.*

PROMOTIONS IN THE ARMY OF THE UNITED STATES.

*First Regiment of Artillery.*

First Lieutenant George Nauman to be captain, 4th February, 1837, vice Mason, deceased.

Second Lieutenant Charles B. Chalmers to be first lieutenant, 4 February, 1837, vice Nauman, promoted.

*Second Regiment of Artillery.*

First Lieutenant Samuel McKenzie to be captain, 8th February, 1837, vice Mellon, deceased.

Second Lieutenant Horace Brooks to be first lieutenant, 8th February, 1837, vice McKenzie, promoted.

*Second Regiment of Infantry.*

First Lieutenant Julius J. B. Kingsbury to be captain, 13th February, 1837, vice Boynton, deceased.

Second Lieutenant George W. Patten to be first lieutenant, 13th February, 1837, vice Kingsbury, promoted.

*Seventh Regiment of Infantry.*

Second Lieutenant Seneca G. Simmons to be first lieutenant, 19th January, 1837, vice Carter, deceased.

Brevet Second Lieutenant Robert F. Baker to be second lieutenant, 19th January, 1837, vice Simmons, promoted.

## APPOINTMENTS.

William E. Aisquith, of Virginia, late 2nd lieutenant of Artillery, to be 2nd lieutenant in the 1st Regiment of Artillery.

L. D. Cabanné, of Missouri, to be 2nd lieutenant in the 1st Regiment of Infantry.

William Albertis, of Virginia, to be 2nd lieutenant in the 2nd Regiment of Infantry.

Charles E. Woodruff, of the State of New York, to be 2nd lieutenant in the 2nd Regiment of Infantry.

Charles Belin, of Delaware, to be 2nd lieutenant in the 2nd Regiment of Infantry.

Wilmot Martin, of Pennsylvania, to be 2nd lieutenant in the 3d Regiment of Infantry.

William Root, of the State of New York, to be 2nd lieutenant in the 5th Regiment of Infantry.

Daniel H. McPhail, of Maryland, to be 2nd lieutenant in the 5 Regiment of Infantry.

John Connor, of New Hampshire, to be 2nd lieutenant in the 5th Regiment of Infantry.

Philip Kearny, of the State of New York, to be 2nd lieutenant in the 1st Regiment of Dragoons.

R. JONES,  
*Adj't Gen'l.*

## PROMOTIONS CONTINUED.

*First Regiment of Dragoons.*

First Lieutenant Thomas Swords to be captain, 3d March, 1837, vice Van Buren, resigned.

Second Lieutenant Asbury Ury to be 1st lieutenant, 3d March, 1837, vice Swords, promoted.

R. JONES,  
*Adj't Gen'l.*

The message was read; and  
*Ordered*, That the consideration of it be postponed to Monday the 6th instant.

The following message was received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

*To the Senate of the United States:*

In my message to Congress of the 21st of December last I laid before that body, without reserve, my views concerning the recognition of the independence of Texas, with a report of the agent employed by the Executive to obtain information in respect to the condition of that country. Since that time the subject has been repeatedly discussed in both branches of the Legislature. These discussions have resulted in the insertion of a clause in the general appropriation law passed by both Houses providing for the outfit and salary of a diplomatic agent to be sent to the Republic of Texas, whenever the President of the United States may receive satisfactory evidence that Texas is an independent power and shall deem it expedient to appoint such minister, and in the adoption of a resolution by the Senate, the constitutional advisers of the Executive on the diplomatic intercourse of the United States with foreign powers, expressing the opinion that "the State of Texas having established and maintained an independent government, capable of performing those duties, foreign and domestic, which appertain to independent governments, and it appearing that there is no longer any reasonable prospect of the successful prosecution of the war by Mexico against said State, it is expedient and proper, and in conformity with the laws of nations and the practice of this Government in like cases, that the independent political existence of said State be acknowledged by the Government of the United States." Regarding these proceedings as a virtual decision of the question submitted by me to Congress, I think it my duty to acquiesce therein, and therefore I nominate Alcée La Branche, of Louisiana, to be chargé d'affaires to the Republic of Texas.

ANDREW JACKSON.

WASHINGTON, March 3d, 1837.

The message was read; and,

On motion by Mr. Webster,

*Ordered*, That the consideration of said message be postponed to Monday the 6th instant.

The following message was received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

*To the Senate of the United States:*

I nominate John Catron, of the State of Tennessee, and William Smith, of the State of Alabama, to be associate judges of the Supreme Court of the United States.

ANDREW JACKSON.

WASHINGTON, March 3d, 1837.

The message was read; and,

On motion by Mr. Webster,

*Ordered*, That the consideration of said message be postponed to Monday next.

The following message was received from the President of the United States, by Mr. Andrew Jackson, jr., his secretary:

*To the Senate of the United States:*

I nominate William H. Freeman, of the Marine Corps, to be a lieutenant-colonel of marines by brevet, to take effect from the 17th of July, 1831, for ten years' previous service in the grade of captain. This nomination is made to correct the error in the present brevet appointment of Lieut. Colonel Freeman, which takes effect only from the 20th of February, 1832.

ANDREW JACKSON.

WASHINGTON, *March 3d, 1837.*

The message was read; and,

*Ordered,* That it be referred to the Committee on Naval Affairs.

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